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REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

ANGUILLA

Working paper prepared by the Secretariat

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I. GENERAL

1. Anguilla lies 240 kilometres east of Puerto Rico, 113 kilometres north-west of Saint Kitts and Nevis and 8 kilometres north of St. Maarten/Saint-Martin. The Territory has a total land mass of 96 square kilometres and includes several offshore islets. The Department of Trade of the United Kingdom of Great Britain and Northern Ireland operates a lighthouse station on Sombrero Island, one of the offshore islands. The main island has a maximum length of 26 kilometres and a maximum width of 5 kilometres. There is no dominant urban area in Anguilla, although certain areas are more densely settled than others. The government headquarters and the main settlement area are located in the Valley.

2. The climate is tropical, with a mean monthly temperature of about 25 degrees centigrade and a mean monthly relative humidity of over 70 per cent. Because of Anguilla's topography, rainfall is low and erratic. The islands lie in the hurricane zone and a hurricane watch is observed between July and October.

3. The population, which the 1984 census placed at 6,842, increased to 9,300 in mid-1991. The annual rate of population growth was estimated at 9.7 per cent. 2/ There are a small number of expatriate residents, mainly from the United Kingdom, Canada and the United States of America. According to the administering Power, several thousand Anguillans and their families live and work outside Anguilla, mainly on adjacent Caribbean islands (St. Maarten/Saint-Martin, St. Kitts and Nevis, Antigua and Barbuda, the United States Virgin Islands and Puerto Rico) and in the United Kingdom and the United States.

4. A United Nations mission visited the Territory in September 1984 and later held consultations in London with representatives of the administering Power.

II. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

A. Constitution

5. An outline of the Anguilla (Constitution) Order, 1982, is given in the report of the Visiting Mission (A/AC.109/799, paras. 19-27). Briefly, the Government of Anguilla consists of a Governor, an Executive Council and a House of Assembly. The Governor, who is appointed by the Queen, is responsible for defence, external affairs, internal security, including the police, and the public service. He also holds reserved legislative powers under the authority of the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom. On all other matters, the Governor is required to consult with, and act on the advice of, the Executive Council.

6. The law of Anguilla is the common law of the United Kingdom, together with all legislation inherited from the former Associated State of St. Kitts-Nevis-Anguilla up to August 1971 and the local legislation enacted since that date. The law is administered by the Eastern Caribbean Supreme Court, which comprises

a Court of Appeal and a High Court of Justice, courts of summary jurisdiction and magistrate courts.

B. Constitutional developments

7. A detailed account of the main points and questions raised in the report of the Constitution Review Committee appointed by the Governor is contained in a previous working paper prepared by the Secretariat (see A/AC.109/975, paras. 15 and 16; see also A/AC.109/975/Add.1, annex).

C. Political parties and elections

8. As previously reported, general elections are held in the Territory every five years. The last elections took place in 1989 and resulted in the re-election of Chief Minister Emile Gumbs. His party, the ruling Anguilla National Alliance (ANA) won three of the seven seats contested. The position of ANA was further strengthened when an independent elected member rallied to the party. As a result, ANA now controls four of the seven seats in the House of Assembly. The opposition party, the Anguilla United Party (AUP), won two seats and the Anguilla Democratic Party (ADP), one seat.

D. Future status of the Territory

9. Following a review of its policy and management with respect to its Caribbean dependent Territories, the United Kingdom made a significant policy change in 1992 aimed at achieving better dialogue, coordination and cooperation with those Territories as well as at restructuring the management of the Foreign and Commonwealth Office and the Overseas Development Agency, both in the United Kingdom and in the Caribbean. (The policy statement is reproduced in document A/AC.109/1137, para. 17.)

10. In the Country Policy Plan agreed upon between the Governments of Anguilla and the United Kingdom in August 1993 (see paras. 67-74), the United Kingdom reaffirmed its commitment to several principles, among them its responsibility, through the Governor of Anguilla, for the Territory's external relations and other areas of reserved responsibility, and its firm stewardship in the discharge of these functions. The Governor consults to the fullest extent possible, within the framework of the Constitution, with the Government of Anguilla on all these issues.

11. The United Kingdom shares the objective of the territorial Government's of achieving economic independence. It remains committed to its policy of assisting Territories to attain full independence when and if it is the clearly and constitutionally expressed wish of the people. Further, the United Kingdom reaffirms that the reasonable needs of Anguilla and the other dependent Territories will continue to be a priority for the aid funds of the United Kingdom.

12. On 24 November 1993, in a keynote address to a conference on dependent Territories entitled "Progress through Partnership", Mr. Douglas Hurd, Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, outlined the policy of the Government of the United Kingdom on its dependent Territories. A summary of his speech is contained in document A/AC.109/1180, paragraphs 30-36.

E. Civil service

13. In reply to a query addressed to him by the Secretary of the Subcommittee on Small Territories, Petitions, Information and Assistance on behalf of the Subcommittee, a representative of the administering Power stated in a letter dated 5 August 1991 that the Anguillan public service was comprised of approximately 92 per cent indigenous and 8 per cent expatriate staff members. Out of a total of 515 employees, 31 were from other Caribbean islands, 6 from the United Kingdom (providing technical assistance under the United Kingdom Aid Programme) and 6 others from various countries (mainly provided by aid donors such as the United Nations Development Programme (UNDP)).

14. The Minister for Finance said in his 1992 budget speech that the salaries and wages of public servants amounted to over 56 per cent of the budget, and that increments in these emoluments had resulted in a substantial rise in the Government's recurrent budget. The various departments of the administration had, however, assisted the Government in keeping overall expenditure to acceptable levels by reducing their operating costs by 10 per cent as requested by the Government.

F. External relations

15. The Government of Anguilla cooperates directly with other Governments in the Caribbean and participates in regional conferences and projects organized by Governments and regional and international organizations and agencies (see also paras. 58-66). The Territory is a member of the Caribbean Development Bank (CDB), the University of the West Indies and the Eastern Caribbean Central Bank, and holds observer status in the Organization of Eastern Caribbean States.

16. Queen Elizabeth II visited Anguilla in February 1994 at the beginning of a three-week journey to several former and current British dependencies in the Caribbean and in the Atlantic, namely: Belize, Guyana, Dominica, the Cayman Islands, Jamaica, the Bahamas and Bermuda. 3/

III. ECONOMIC CONDITIONS

A. General

17. Anguilla's development objectives remain the raising of the standard of living of Anguillans through the development of the Territory's productive potential and the provision of a wide range of employment opportunities. Tourism is the major vehicle of growth, although the Government recognizes the

importance of some level of economic diversification for balanced sectoral growth. The development strategy also envisages joint ventures between the public and private sectors, thereby creating an atmosphere that would attract both local and foreign investment.

18. In 1992, the economy of Anguilla recovered from a sharp decline in real growth and most sectors of the economy performed satisfactorily. 4/ The gross domestic product in constant prices increased by 7.48 per cent to EC$ 139.91 million 5/ in 1992 compared with EC$ 130.17 million recorded for 1991. (In current prices, the gross domestic product registered an 11.5 per cent growth, from EC$ 136.82 million to EC$ 152.57 million). 4/

19. Some external factors which were said to have contributed to the recovery of the economy in 1992 were the favourable developments in the global economic environment and an upturn in the economy of the United States during the year. The internal factor which contributed the most to the significant improvement in the overall growth rate was the recovery in the growth performance of the two leading sectors of the economy: the hotel and restaurant and the construction sectors. Together, they accounted for 53 per cent of the gross domestic product, thus showing a strong performance during 1992 after a downturn in 1991. 4/

B. Public finance

20. The upturn in the economy's aggregate output during 1992 was accompanied by improved fiscal performance. The surplus on the current account of the central government operations which declined steeply from EC$ 2.18 million to just EC$ 0.73 million in 1991, was estimated to have risen to EC$ 3.44 million in 1992. This significant increase is attributable to a strong revenue growth accompanied by a slower growth in current expenditure during the year. 4/

21. Recurrent revenue rose by 17.1 per cent to EC$ 29.20 million during 1992 compared with EC$ 24.94 million recorded for 1991. The 17.1 per cent growth represented a significant improvement over the 9.2 per cent growth registered for 1991. Most of the principal revenue items recorded positive growth during the year. The item that contributed most to the improved position was the stamp duty, which increased by 62.9 per cent to EC$ 3.07 million, compared with just EC$ 1.89 million collected in 1991. Other significant sources of revenue growth during the year included the embarkation tax and the accommodation tax, which increased by 29.9 per cent and 14.0 per cent, respectively. Import duty on gas and fuel increased by 64.7 per cent, while the duty on alcohol rose by 61.3 per cent. 4/

22. Recurrent expenditure rose from EC$ 24.22 million in 1991 to EC$ 25.77 million in 1992. This was a result primarily of a significant increase in pensions and gratuities, which rose by 39.9 per cent to EC$ 1.42 million during 1992, compared with EC$ 1.01 million in 1991. The overall rate of growth in recurrent expenditure, which was estimated at 17.25 per cent for 1991, fell to only 6.4 per cent in 1992. The improved performance can be attributed primarily to the austerity measures taken by the

Government in early 1992 which reduced the recurrent expenditure of the various departments by 10 per cent. 4/

23. Capital expenditure, which had declined sharply by 63 per cent to a total of EC$ 3.25 million in 1991, grew substantially to EC$ 9.26 million in 1992. This sizeable increase can be attributed to the accelerated implementation in 1992 of the capital programme for the completion of major projects, including the commercial registry building, the police marine base and the new hospital, as well as the commencement of new projects such as phase I of the road improvement project financed by the European Development Fund, the Anguilla water development project and the new post office project. 4/

C. Agriculture, livestock and fisheries

24. Agricultural activity in Anguilla is extremely limited by a combination of factors, including poor soil, a small amount of arable land and irregular rainfall. The policy of the Government, however, is to increase to the greatest extent possible the degree of self-sufficiency in agricultural production.

25. Notwithstanding the prevailing dry conditions and the unpredictable rainfall patterns existing in Anguilla, agriculture continues to play an important part in the livelihood of the local people. In addition to farming, several Anguillans are engaged in livestock and poultry production, as well as fishing. A greater number of youngsters are becoming interested in agricultural projects, such as growing vegetables. Owing to changes in dietary habits, young people are now much keener on eating locally produced vegetables.

26. Despite the numerous constraints to agricultural development in the Territory and the relatively insignificant share of the sector in the gross domestic product, efforts have been made to increase Anguilla's agricultural output in view of the critical importance of maintaining a certain degree of self-sufficiency in food crops and controlling the growth of food import costs. In 1992, the Territory experienced an improvement in the level of rainfall and increased its agricultural output, which had declined sharply in 1991 following a severe drought. 4/

27. Crop production increased by 27.5 per cent in 1992 in contrast to a decline of 27 per cent recorded for 1991. Compared to 1991, there was a substantial growth in the output of the major crops, including corn (maize), pigeon peas and sweet potatoes, and a considerable increase in the production of vegetables, including pumpkin, tomatoes, onions and carrots. 4/

28. Aside from the increase in the level of rainfall, major factors that contributed significantly to the Territory's agricultural output during 1992 included the following: more extensive practice of the drip irrigation system introduced through the Caribbean Agricultural Rural Development and Training Service (CARDATS); renewed interest by, as well as increased participation of, farmers in agricultural activities; and extension of services provided by the Department of Agriculture. 4/

29. With regard to livestock, real output increased by 14.3 per cent to EC$ 1.36 million, compared with EC$ 1.19 million in 1991. The improvement in livestock production could be attributed primarily to a significant decline in the destruction of livestock by wild animals, owing to more effective protective measures adopted during the year. 4/

30. The output of the fisheries industry, which accounted for approximately 75 per cent of the total agricultural output in 1991, continued to expand in 1992. Real output increased by 40.5 per cent to EC$ 4.86 million, compared with EC$ 3.46 million recorded for 1991. The substantial growth in the overall output of this sector may be attributed to a significant improvement in the fishing of lobster and conch during 1992. 4/

D. Industrial development

31. The manufacturing sector continues to be medium- and small-scale and confined to a narrow range of activities, including the production of salt, the construction of wooden boats and other traditional operations. The territorial Government reports that the manufacturing sector is still in its infancy.

E. Public works

32. According to the Minister for Finance, the Government has taken steps to contribute to the financing of road projects and a water development programme costing in excess of EC$ 16 million and financed by the European Development Fund and the British Development Division in the Caribbean. Projects already completed include the construction of additional school facilities, government buildings, the drilling of wells and the provision of pipes.

F. Transport, communications and other basic facilities

33. The Territory is served by a network of nearly 100 kilometres of all-purpose roads, two major seaports and an airport. In recent years, several major capital improvement projects were completed and others were reported in progress.

34. In December 1993, the Caribbean Development Bank (CDB) approved a loan of US$ 1.71 million (US$ 1.09 million from the Bank's Ordinary Capital Resources and US$ 0.62 million from its Special Funds Resources) to the Government of Anguilla to assist in financing the following: construction of a reinforced concrete jetty (70 metres long and 3.8 metres wide) at Island Harbour in the northeast of the island; reconstruction and realignment in part of approximately 1.7 kilometres of the Sandy Ground Road in the north; and construction of the base course and wearing surface of approximately 0.9 kilometres of the Sandy Hill Road towards the south-east. According to the Government, these projects are high priority since they will contribute to the improvement and expansion of economic infrastructure vital to Anguilla's development.

35. The procurement of goods and services for these projects will be financed by member countries of CDB and the Kingdom of the Netherlands. An environmental analysis of the proposed works was carried out as part of the feasibility study and recommendations were made to mitigate the more significant adverse environmental impacts of the projects.

36. The electricity and water sector showed noticeable improvement during 1992. In real terms, the value added of this sector increased by 14.7 per cent, compared with 2.9 per cent in 1991. The relatively high rate of growth was attributable to a strong performance in the field of electricity, sustained by a steady growth in the national demand for electricity. 4/

G. Property and real estate development

37. Leading indicators show that there has been an upturn in construction activity during 1992 following a decline of 25.81 per cent in 1991. The value added of the construction sector in real terms rose by 16.37 per cent to EC$ 26.66 million, compared with EC$ 22.91 million in 1991. This sector continued to be the second largest contributor to the gross domestic product, accounting for 19.06 per cent in 1992. 4/

38. The upturn in construction activity during the year may be attributed to the implementation of a number of major infrastructure projects including, as mentioned earlier, the road improvement project financed by the European Development Fund; the Anguilla water development project and the new post office project in the public sector; the acceleration of the building phase of the Casablanca Hotel development project; and the construction of residential buildings in the private sector (see para. 23). 4/

H. Banking

39. CDB reports that within the commercial banking system, deposits increased by 9 per cent to EC$ 78 million in the 12 months ending December 1992. In comparison, loans outstanding increased by 11 per cent to EC$ 70 million primarily in response to increased lending to the private sector, particularly the tourism sector, and for house and land purchases. 6/

I. Environment

40. The United Nations Development Programme (UNDP) is sponsoring a project in Anguilla entitled "Management of Natural Resources and the Environment". As part of this project, a country environmental profile is being produced under the direction of the Parliamentary Secretary of Education and the Environment.

41. The profile will serve to define issues and make recommendations for sound environmental management policies both now and in the future. It will provide a working document through which policy makers and developers can better understand the fragile ecosystems which combine to create Anguilla's unique natural environment.

42. The project emphasizes that, because Anguilla's economy relies heavily on tourism, a healthy environment is crucial if Anguilla is to continue to be promoted as an unspoiled, exotic and upscale destination. Improving the island's infrastructure and adopting policies for the protection of natural and cultural resources will benefit the people by preserving habitats for wildlife, protecting historical and archaeological sites, maintaining cultural traditions and improving Anguilla's economy.

43. As part of the project, specific issues will be addressed and discussed. Recommendations will be made for each chapter of the country environmental profile. The chapters will consist of the following: (a) Institutional and legal framework of Anguilla; (b) Planning and growth management; (c) Protected areas planning and landscaping management; (d) Coastal activities; (e) Water resources; (f) Waste management and pollution control; (g) Tourism; (h) Cultural and historic resources; and (i) Shaping Anguilla's future. To ensure that each chapter is accurately addressed, a National Advisory Committee has been established.

J. International business

44. Only two offshore banks were registered in 1993 following passage in 1992 by the House of Assembly of the Offshore Banking and Trust Companies Ordinance. According to a local publication, British economic consultants carried out an economic review on behalf of the Government of Anguilla in 1993, at the request of the Government of the United Kingdom. In their report entitled "Strategic Economic Review", the consultants noted that the Government, recognizing that the period of rapid growth in tourism had come to an end and that the development of Anguilla as an offshore centre offered the best chance of diversifying its economic base, of providing new employment opportunities, or raising incomes for Anguillans and increasing Government revenues, wished to encourage the development of a high quality, reputable offshore finance industry in Anguilla. 7/

45. The report further stated that the Government would be supportive of the development and active promotion of registration of offshore companies and of appropriate administrative, commercial and regulatory measures, including the repeal of outmoded confidentiality legislation presently on the statute books. The Government would also be highly selective regarding the issue of banking licences and would initially avoid any insurance businesses that dealt with the general public in any other country. Finally, it would adopt an immigration policy that encouraged the immigration of members of key professions.

46. It was reported that the Government had already taken major steps to implement the recommendations contained in the Strategic Economic Review, which included the following:

(a) The setting up of a marketing task force chaired by the Minister of Finance, known as the Offshore Finance Promotion Agency, and consisting of officials of the Ministry of Finance as well as members of private sector firms, which will spearhead promotional initiatives in this sector;

(b) The revival of the Offshore Finance Committee chaired by the Governor, in which the Economic Planning Unit, which coordinated the Review, is represented and plays a policy-making and implementation role;

(c) The preparation of new legislation to be submitted to the House of Assembly to update the company law as well as the laws on partnerships and limited partnerships, trusts and other investment vehicles, and the regulations for company managers and captive insurance companies. 7/

47. These recommendations were prerequisites to obtaining a large British aid package for urgent changes needed to enable Anguilla to compete with the other, more developed dependent Territories in the region (the Turks and Caicos Islands, the British Virgin Islands and the Cayman Islands, and in the wider international market. The Turks and Caicos Islands received one such package in 1991-1992 following similar findings in a review conducted in 1990 by the same consultants. 7/

48. The Government has also decided to commit increased resources to the sector, which is one reason some large financial service institutions in Canada, the United Kingdom and Switzerland have already decided to set up companies in Anguilla.

49. The computerization of the Registry of Companies will soon provide international round-the-clock services comparable - though not identical - to those provided by the British Virgin Islands. In line with the recommendations of the Strategic Economic Review, a publicity campaign was launched abroad by Anguilla's Registry of Companies, highlighting the advantages offered by the Territory's offshore business and emphasizing the fact that the Government was undertaking a thorough modernization of Anguilla's financial services, legislation and incorporative facilities. 7/

K. Tourism

50. In 1992, total visitor arrivals increased by 2.91 per cent to 93,190, compared with 90,544 in 1991. The number of stopover visitors increased by 2.6 per cent, from 59,542 in 1991 to 61,104 in 1992. 4/ The number of day visitors increased by 3.5 per cent from 31,002 in 1991 to 32,076, despite an unusual performance by the sector in 1991, when arrivals fell by almost 1 per cent. The improvement in 1992 was a result primarily of increased tourist activity during the winter months. 8/

51. In February 1992, tourist arrivals reached 4,258, a record level for monthly arrivals and 20 per cent more than in the same period in 1991. The 3,645 arrivals in December 1992, the second largest number ever in a month, was a substantial increase (19 per cent) over December of the previous year. There were also significant increases of 40 per cent and 28 per cent in tourist arrivals for the months of October and November, respectively. 8/

52. The performance of the sector during the summer months of 1992 was less satisfactory. In the period May to August, tourist arrivals registered

consistent monthly declines of over 5 per cent in comparison to the same period in 1991. 8/

53. The United States continued to dominate the market in 1992 with 64 per cent of tourist arrivals, down from 66 per cent the previous year. Between 1989 and 1991, the rate of growth of tourist arrivals from the United States declined sharply, although the number of arrivals had almost doubled during the period 1986 to 1989. In 1992, tourists arriving from the Caribbean increased by 10.5 per cent, while the number from the United Kingdom and Canada remained virtually stagnant. 8/

54. Although visitor arrivals increased in 1992, the average length of stay dropped to 9.6 nights as compared to 10.3 nights in 1991. As a result, visitor expenditure in both years remained at the same level of US$ 35.2 million. 8/

55. At the end of 1992, the authorities expressed satisfaction at the number of tourist arrivals during the winter months. The poor performance of the industry during the summer months, however, is a source of concern and underscores the need for an intensive promotion campaign during the summer. The number of tourists arriving in Anguilla is still fairly small and the rate of growth is slow, making it essential to develop strategies to attract more visitors. 8/

56. The hotel and restaurant sector, the largest contributor to the gross domestic product, recovered in 1992 from a growth of only 0.56 per cent in 1991, to a real growth of 3.46 per cent. The relative share of this sector in the gross domestic product, however, declined slightly to 33.36 per cent, compared with 34.66 per cent in 1991. 4/

57. In 1992, there were 447 hotel rooms, 75 guest-house rooms and 398 apartments/villas or cottages available in Anguilla. The rate of room occupancy in 1992 was 41 per cent from January to April, and 25 per cent from May to December, resulting in an average of 31 per cent for the whole year. 8/

L. Assistance from organizations and institutions of the United Nations system

58. The United Nations Development Programme (UNDP) continued to be the main source of development assistance to the Territory within the United Nations system. The country programme for Anguilla approved by the UNDP Governing Council provides the framework for external assistance to Anguilla. In the fourth programming cycle (1986-1991), UNDP provided US$ 1.4 million. The second country programme for the Territory, covering the period from 1992 to 1996, makes provision for US$ 1,466,000 in technical cooperation resources, of which $1,266,000 are to be provided under the regular indicative planning figure allocated to Anguilla.

59. It should be noted that several Governments contribute in cash or in kind to the UNDP country programmes for Anguilla and the other Territories, thereby increasing significantly the assistance available to those Territories.

60. In addition to the support provided by UNDP to the Territory at the national level - mainly in the areas of human resource development, economic and social development planning, environment and tourism - Anguilla continues to benefit from the Multi-Island Programme for the Eastern Caribbean, which is implemented through the Organization of Eastern Caribbean States. The programme of assistance for the period 1992-1996 makes provision for US$ 4.2 million in technical cooperation resources, of which $4 million are to be provided under the regular multi-island indicative planning figure.

61. Further, Anguilla is a beneficiary of the programme of assistance between UNDP and the Caribbean Community (CARICOM), which is a component of the Fourth Regional Programme for Latin America and the Caribbean. The planned expenditure for the CARICOM component of the regional programme for the period 1992-1996 is US$7 million. UNDP ensures that the participation of the Non-Self-Governing Territories in these two Caribbean multi-country programmes is compatible with their own national economic and social development needs.

62. All Non-Self-Governing Territories in the Caribbean, including Anguilla, have received support from UNDP in the preparatory process for the 1994 United Nations Global Conference on Sustainable Development for Small Island Developing Countries, to be held in Barbados. Their involvement in this process has served to provide for the creation of close linkages and scope for the promotion of greater horizontal cooperation between the Non-Self-Governing small island developing countries of the Caribbean and in other parts of the world.

63. In view of the link between population and development, on the one hand, and the impact of population on economic and social activity, on the other, UNDP has worked in close collaboration with the United Nations Population Fund (UNFPA) in assisting Non-Self-Governing Territories in their preparation for the International Conference on Population and Development, tc be held at Cairo in 1994.

64. In addition to the provision of assistance in technical cooperation, UNDP has also been playing an active part in promoting and supporting the involvement and direct participation of the Caribbean Non-Self-Governing Territories, wherever applicable, in major global issues and at international forums of relevance to their economic and social development.

65. During the reporting period, United Nations agencies provided assistance to Anguilla in various fields of activity. The International Labour Organization (ILO) undertook for the Government an evaluation of its social security scheme, aimed, inter alia, at widening the scope of coverage to include the entire working population. The Food and Agriculture Organization of the United Nations (FAO) took steps to set up a regional project for Anguilla and Montserrat involving the strengthening of veterinary services, for which both FAO and CARICOM sought funding. The World Health Organization (WHO), whose technical cooperation is coordinated by the Pan-American Health Organization (PAHO), assisted the Territory in the areas of community water supply and sanitation, health services development, maternal and child health, as well as in the control of acquired immunodeficiency syndrome (AIDS). The United Nations Educational, Scientific and Cultural Organization (UNESCO) helped to develop a comprehensive drug prevention system and, in this regard, provided training to

selected educational personnel in various domains, including management and planning skills, development of curriculum modules and instructional materials, and peer counselling.

66. The Territory is represented at the annual meetings of the Caribbean Group for Cooperation in Economic Development, sponsored by the World Bank.

M. Country Policy Plan

67. In August 1993, Anguilla signed with the United Kingdom what was termed an innovative aid agreement in the form of a Country Policy Plan covering the period from 1993/94 to 1996/97. The plan is the first to be agreed upon between the administering Power and a Caribbean dependent Territory. It outlines the commitment of both the Government of Anguilla and the United Kingdom to a new and closer policy of dialogue and partnership. It is hoped that it will become a model for other dependent Territories in the region.

68. Under the plan, the United Kingdom would provide to Anguilla £10.5 million in assistance from the funds managed by the Dependent Territories Regional Secretariat for the period 1994-1997. This would include an indicative planning figure of £2.5 million from funds available for the collective benefit and support of the British dependent Territories in the Caribbean.

69. The plan outlines the major policy objectives and principal programme targets which the Government of Anguilla has set in consultation with the Government of the United Kingdom. It is designed to facilitate the new thrust in cooperation and partnership between the United Kingdom and its dependent Territories in the Caribbean. The cooperation and partnership are aimed at promoting good government and self-sustainable growth as well as economic autonomy for Anguilla in the medium- to long-term period.

70. The Country Policy Plan consists of three parts. The first part identifies the broad principles on which the conduct of the public affairs of Anguilla are based and summarizes the general commitments of the Government of Anguilla in this regard. It also outlines the principles being followed by the Government of the United Kingdom and the commitments to which it subscribes in relation to the agreed partnership programme. The Government of Anguilla, inter alia, reaffirms the need for the improvement of existing ties with regional and international organizations and the expansion of regional and international relationships in consultation with the Governor. The United Kingdom, for its part, reaffirms its commitment to several principles. It welcomes and shares the wish of the Government of Anguilla to cease to be reliant on capital grants and aid to fund its public investment needs, and sees the aid programme as a means of helping the Territory to achieve this aim.

71. The second part of the plan is the Anguilla Country Policy Matrix 1993/94-1995/96, which sets out the agreed policy objectives of the Government of Anguilla on a sectoral basis. It details the key policy and programme targets and the actions necessary to achieve them. It also provides the framework for monitoring progress in the implementation of these policies and

programmes as well as for reviewing the future use of aid and good government funds from the United Kingdom.

72. As defined in the Policy Matrix, Anguilla's development objectives are as follows: to consolidate the contribution of tourism to the economy with minimal environmental degradation; to promote the development of a high quality offshore finance sector as the main way of diversifying the economy; to ensure that marine resources are sustainably managed, while promoting further development of fisheries; to promote agriculture and other productive activities which can be linked to the main productive sectors of tourism and offshore finance; to strengthen education with a view to laying a sound base for long-term development; to ensure efficient provision of primary and secondary health services to all Anguillans; to ensure efficient public administration while restraining its costs; to strengthen the management of Anguilla's physical environment; and to better manage public finances.

73. The Policy Matrix also concerns the good government objectives of Anguilla through which the territorial Government confirms its commitment to the principles enshrined in the Constitution as well as to those upheld by responsible, ethical and equitable government. These principles include respect for the rule of law and fundamental principles enshrined in the Constitution, including the protection of fundamental rights and freedoms; maintenance of international standards of human rights which reflect evolving international norms; maintenance of law and order as well as social peace and stability; continuance of representative government, including periodic free and fair elections; accountability in Government; pursuit of sound economic and financial policies aimed at promoting growth, self-sufficiency and a decent standard of living for the people of Anguilla; provision of appropriate services to meet the aspirations and interests of the people of Anguilla; maintenance of a high standard of administration of justice; adoption of appropriate social policies to promote the peace, stability and cultural advancement of the community; and consultation with the private sector with a view to stimulating and promoting private sector investment and business expansion.

74. The third part of the Country Policy Plan consists of the three-year Public Sector Investment Programme of the Government, which includes projects agreed to in principle by the United Kingdom (subject to the customary submission, appraisal and approval of project proposals), lists the investments to be undertaken and provides a timetable for undertaking them. The Country Policy Plan was signed for Anguilla by the Chief Minister and the Governor of the Territory, and for the United Kingdom by its Minister for Overseas Development. While in Anguilla for the occasion, the Minister for Overseas Development took the opportunity to visit completed and current aid projects, including the Princess Alexandra Hospital, the marine shorebase, the new post office and two primary schools where rehabilitation work was due to start shortly.

IV. SOCIAL CONDITIONS

A. Labour

75. The development objectives of the Government are aimed at improving the living standards of Anguillans through the development of the Territory's productive potential and the provision of a wide range of employment opportunities (see A/AC.109/1026, para. 73).

76. CDB reports that tourism and tourism-related construction remain the major employer, although the seasonal nature of tourism in the Territory produces large variations in the demand for labour. 2/

77. According to the 1992 census, the unemployment rate in Anguilla was 6.3 per cent. This level of unemployment is consistent with the economic downturn of the two previous years. As those unemployed represent mainly unskilled or minimally skilled labour, Anguilla continues to grant work permits to a significant number of immigrant workers. Between 1987 and 1992, the number of immigrant workers increased by more than five times to over 500. 6/

B. Public health

78. The Government remained committed to providing primary health care for all Anguillans by the year 2000. The Territory is served by the 24-bed Cottage Hospital and the Princess Alexandra Hospital, a 36-bed facility financed by the United Kingdom.

79. In order to ensure more efficient primary and secondary health services, and in pursuance of the Country Policy Plan, the Government has decided, inter alia, to establish an Anguilla Health Authority; to commission a new hospital; to establish improved geriatrics services; to implement policies to recover more health sector costs from users; to create a drug rehabilitation programme; and to strengthen its AIDS programme.

C. Drugs

80. Press reports indicate that although drug use in Anguilla is currently limited to soft drugs such as marijuana, there is evidence that harder drugs, including cocaine, are being introduced into the Territory. The Chief of Police is reported to have said that evidence showed that hard drugs were being imported when the tourist season was at its height. He noted also that, because of unprotected territorial borders, drug-trafficking could pose a problem.

81. The Government has taken steps to strengthen the Police Department and to arrange for it to work in closer cooperation with the Customs Department in the war against drugs, forming joint police-customs sea patrols.

D. Disaster preparedness and prevention

82. Following a visit to the British Virgin Islands in 1992, the Governor of Anguilla, who had been impressed by the Emergency Operations Centre of that Territory, obtained £20,000 from the British Government for the establishment of the same facility in Anguilla. 9/

V. EDUCATION

83. Education is compulsory for all children between 5 and 14 years of age, and is free at the primary and secondary levels. In November 1992, there were reportedly 2,404 children of school age in the Territory.

84. During the period under review, the Government continued to invest a significant amount of its resources in providing a better educational system. Within this framework, it sought to resolve the issue of poor examination results that had plagued the Education Department in recent years (see A/AC.109/1141, paras. 66 and 67) by providing well-qualified staff. This initiative reversed the negative trend and produced better results.

85. The authorities also took steps to address the question of overcrowding in classrooms, which had compelled Anguilla to use all available community and church buildings for classrooms. With the assistance of the United Kingdom the territorial Government was able to build additional classrooms at a very low cost.

Notes

1/ The information contained in this paper has been derived from published reports and from information transmitted to the Secretary-General by the Government of the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter of the United Nations on 7 July 1988 for the years 1986 and 1987, on 16 February 1989 for the years 1984 to 1987 and on 13 July 1993 for the years 1991 to 1993. The facts and figures relating to those years are the latest information available.

2/ The Caribbean Development Bank, Annual Economic Report, 1991, Anguilla.

3/ Reuters dispatch (Anguilla), 18 February 1994.

4/ Anguilla, National Accounts Statistics, 1992, revised, May 1993.

5/ The currency of the Territory is the East Caribbean dollar (EC$). One United States dollar (US$ 1.00) is equivalent to EC$ 2.68.

6/ The Caribbean Development Bank, Annual Report, 1992 (Barbados).

7/ Anguilla Life Magazine vol. VI, No. 2 (Summer-Fall 1993).

8/ Statistical Review of Tourism, 1992, prepared by the Statistical Unit, Ministry of Finance, Anguilla.

9/ The Island Sun (Tortola), 20 June 1992.

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A

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WITH REGARD TO THE IMPLEMENTATION
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OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

ST. HELENA

Working paper prepared by the Secretariat

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ST. HELENA 1/

I. GENERAL

1. The Territory of St. Helena, which is administered by the United Kingdom of Great Britain and Northern Ireland, consists of the main island of St. Helena and two dependencies: the island of Ascension and a group of islands forming the dependency of Tristan da Cunha.

2. Situated in the South Atlantic Ocean, approximately 1,900 kilometres from Angola and 2,900 kilometres from Brazil, the Territory covers a total land area of 412 square kilometres. Ascension lies 1,200 kilometres to the north-west of St. Helena, and Tristan da Cunha and the other small islands forming that dependency are approximately 2,400 kilometres to the south of it. St. Helena, where Jamestown, the capital of the Territory, is located, is the largest island, with an area of 122 square kilometres. It has a tropical climate tempered by trade winds which blow throughout the year.

3. The population of St. Helena, excluding its dependencies, was 5,664 as of February 1987, the date of the last census. Approximately one third is resident at Jamestown. The next largest communities are situated at Longwood, in the east of the island, and at Half Tree Hollow, in the north-west. The remainder of the population live in small cottage communities or single cottages.

II. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

A. General

4. The St. Helena Constitution Order of 1988, which entered into force on 1 January 1989, replaced the Constitution of St. Helena and dependencies introduced on 1 January 1967. Under the new Constitution, the Governor and Commander-in-Chief (who is appointed by the Queen) administers the Government. He is assisted by an Executive Council and a Legislative Council.

5. The Legislative Council for St. Helena consists of the Speaker, three ex officio members (the Chief Secretary, the Financial Secretary and the Attorney General) and 12 elected members. The Executive Council is presided over by the Governor and consists of the ex officio members mentioned above and five of the elected members of the Legislative Council. Although a member of both the Legislative Council and the Executive Council, the Attorney General has no vote in either body.

6. Elections are held by secret ballot at intervals of not more than four years by universal adult suffrage for those aged 18 years and older. Although two political parties are nominally in existence, since 1976 they have been inactive and elections have been held on a non-partisan basis.

7. The judicial system, based on the laws of the United Kingdom, is administered by the Supreme Court (there is a non-resident Chief Justice) and a Magistrate's Court presided over by the senior of the three magistrates sitting

at a session. There is also a Juvenile Court and a Small Debts Court. Provision exists for a Court of Appeal, consisting of three judges, which can sit at Jamestown or in London.

B. Action by the General Assembly

8. In her statement before the Special Political and Decolonization Committee (Fourth Committee) on 29 October 1993, in explanation of vote on the draft decision on the question of St. Helena, the representative of the United Kingdom stated that as in previous years, the draft decision was unacceptable to her Government since it referred to military facilities on Ascension, an island which, although linked to St. Helena for administrative reasons, was not on the Committee's agenda. The suggestion that the very limited military facilities in question could be a source of concern regarding aggression or interference in neighbouring States was incomprehensible. Her Government's policy towards the British dependent Territories was conducted fully in accordance with the purposes and principles of the Charter of the United Nations. 2/

9. On 10 December 1993, the General Assembly adopted, by a recorded vote of 101 to 2, with 51 abstentions, decision 48/424 on the question of St. Helena. By that decision, the Assembly urged the administering Power, in consultation with the Legislative Council and other representatives of the people of St. Helena, to continue to take all necessary steps to ensure the speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in respect of the Territory and, in that connection, reaffirmed the importance of promoting an awareness among the people of St. Helena of the possibilities open to them in the exercise of their right to self-determination. The continued presence of military facilities in the Territory prompted the Assembly, on the basis of previous United Nations resolutions and decisions concerning military bases and installations in colonial and Non-Self-Governing Territories, to urge the administering Power to take measures to avoid the involvement of the Territory in offensive acts or interference against neighbouring States.

III. ECONOMIC CONDITIONS

A. General

10. St. Helena possesses few natural resources. Agriculture, largely of a subsistence nature, is the main economic activity on St. Helena. Food production is insufficient to supply the island's needs, and this, together with the lack of manufacturing industries, results in the importation of the vast majority of its requirements. The cost of living in St. Helena is higher than in the United Kingdom. There is no value-added tax.

B. Public finance

11. The main items of estimated revenue, including the British Government grant-in-aid, and expenditure for 1991-1993 were as follows:

(Thousands of St. Helena pounds) a/

	1991/92	1992/93
Revenue		
Direct taxes	750.2	695.5
Indirect taxes	939.4	932.2
Fines, fees and charges	170.6	131.5
Government rents and hires	57.6	72.6
Earnings of the Government	148.8	162.3
Treasury receipts	b/	1 485.2
Other	63.4	66.0
Total ordinary revenue	2 130.0	3 545.3
Grant-in-aid	3 424.4	3 526.1
Total	5 554.4	7 071.4
Expenditure		
Government	1 091.2	1 105.9
Finance and development	638.5	706.1
Pensions and gratuities	305.9	347.6
Public education	747.8	826.3
Public health	979.4	1 023.9
Social services	866.8	946.4
Agriculture and forestry	714.4	700.0
Public works	1 025.6	1 151.4
Other	51.3	37.8
Total	6 420.9	6 845.4

a/ The local currency is the St. Helena pound, which is equivalent to the pound sterling. St. Helena currency notes, introduced in 1976, and United Kingdom coins are legal tender.

b/ Not available.

12. The principal forms of taxation are income tax, land tax and withholding tax, which is payable by non-residents on incomes accruing in or deriving from the Territory, at a current rate of 25 per cent. Rates of tax on taxable income after allowed deductions are 10 per cent for the first £2,000 of taxable income, 20 per cent for the next £2,000 of taxable income and 25 per cent thereafter.

13. The Territory's statement of assets and liabilities as at March 1992 was as follows:

(St. Helena pounds)

Liabilities		Assets	
Deposits	1 953 481	Cash held locally by Ascension and Crown Agents, London	2 363 255
Special funds:			
Savings bank	6 535 210	Savings bank	6 190 873
Other funds	141 417	Other funds	141 225
Consolidated fund	1 049 106	Development Fund	12 400
		Advances	903 966
		Trading account	334 905
Total	9 679 214	Total	9 944 624

C. Development projects

14. The island itself is not economically viable and relies to a great extent on external aid. Aid from the United Kingdom covers budgetary assistance (grant-in-aid, at present on a three-year rolling disbursement programme); development aid projects; technical cooperation; and funds covering the island's shipping losses.

15. The St. Helena development programme is aimed at better use of limited national resources, reduced dependence on external aid and the creation of suitable employment opportunities. It is financed mainly through the overseas aid programme of the Government of the United Kingdom. Detailed proposals for individual projects are discussed by the Executive Council in the context of the annual budget (after negotiations between the island Administration and the Overseas Development Administration (ODA)), and subsequently ratified at the budget session of the Legislative Council.

16. It is anticipated that United Nations Development Programme (UNDP) cooperation would complement that of the major donor country. The first UNDP country programme for St. Helena (1987-1992) 3/ was formulated but never implemented. It is being superseded by the second UNDP country programme, which is largely a distillation of the previous programme and the result of continuing dialogue among the Government, ODA and UNDP. During this process a consensus emerged on the type of UNDP assistance that would meet the country's requirements most effectively.

17. UNDP resources will target three areas of concentration, namely, the universal pension scheme, tourist development and the livestock development programme. The net indicative planning figure for St. Helena was recommended at $2 million. 4/

18. Apart from UNDP, the only other important donor is the European Union, which is funding the reconstruction of the sea wall and ancillary facilities.

Estimated development aid expenditure, 1991-1993

(Thousands of St. Helena pounds)

	Approved total grant		Expenditure	
Projects	1991/92	1992/93	1991/92	1992/93
Agriculture and forestry	782.0	1 672.0	154.9	184.3
Public utilities	1 851.6	4 380.3	381.1	1 030.7
Fisheries	600.0	637.3	177.2	122.2
Social and administrative services	4 949.8	4 910.0	211.2	197.8
Administrative and miscellaneous services	35.0	35.0	40.2	24.4
Other	278.0	243.8	164.6	52.6
Total	8 496.4	11 878.4	1 129.2	612.0

D. Agriculture, land tenure and livestock

19. The total area of the island is 47 square miles, approximately two thirds of which is barren. Estimated figures of categories of land are as follows:

Land use	Hectares	Percentage
Arable	60	-
Gardens	326	3
Pasture	1 383	11
Forest/woodland	690	6
Scrub	2 630	21
Flax	325	3
Barren	5 550	46
Bad land	920	8
Urban	220	2
Total	12 104	100

20. All crops grown on the island are food or fodder crops, but the island is not self-sufficient in these products. The only export crop produced on the island is coffee. Some 1.5 tons of coffee were exported in February 1990. Potatoes are the main carbohydrate staple, although this is greatly supplemented by imported rice. There is no established system of recording quantities of produce sold on the domestic market. As an indication of the scale of domestic production, however, in 1991, purchases by the Grower's Cooperative were as follows: potatoes, 16.6 tons; cabbage, 3.6 tons; carrots, 2.9 tons; tomatoes, 2.0 tons; pumpkins, 1.8 tons; cauliflower, 1.2 tons; green beans, 1.0 tons; onions, 1.0 tons; other vegetables, 3.4 tons; and fruit, 1.1 tons. In 1991/92, 184.5 tons of potatoes and 27.5 tons of onions were imported.

21. Agricultural administration is carried out by the Chief Agricultural and Forestry Officer, who is a member of and responsible to the Agricultural and Natural Resources Committee of the Legislative Council, the body that sets agricultural policy.

22. The Agriculture and Forestry Department provides support services to smallholder producers, including agricultural loans through a revolving credit fund, which provided loans totalling £9,500 in 1992 and £1,459 in 1993. Other loans, such as those for the purchase of vehicles and other machinery, may be obtained from private or government sources.

23. A scheme designed to encourage new farmers into agriculture by paying them a three-day week wage for two years was started in 1980. It was modified in 1991, when the period was extended to four years, but the income was reduced by 25 per cent per annum. Poor results have precipitated a decision to phase it

out, however. A new Farmers Assistance Scheme was set up to assist farmers by giving grants of 40 to 75 per cent of the investment in pasture establishment and improvement, water supply and livestock housing.

24. The St. Helena Growers' Cooperative Society provides seeds to many individuals and farmers, in addition to the large quantity imported by them. The Agriculture and Forestry Department sold some 90,718 seedlings in 1992/93. Some machinery (rotovators) and hand tools are available through private shopkeepers. Fertilizers and pesticides are supplied mainly by the Agriculture and Natural Resources Department.

25. Agricultural research is carried out on a range of agronomic subjects. The Prince Andrew School has an agricultural section, to which most of the agricultural education is confined.

26. The number of employees involved in agriculture and livestock services totalled 34, and the estimated expenditure during 1992/93 was £103,736.

27. The livestock raised in the Territory are mainly cattle, sheep and pigs. Livestock production totalled 1,589 in 1991/92 and 2,735 in 1992/93.

E. Fisheries

28. The principal resource of the Territory is its fishing industry. Large tunas are available all year round. Skipjack and other species of tuna represent the greatest potential and are normally present from February to June. Mackerel and various demersel species, such as grouper, are also available all year round. Offshore resources associated with the two known seamounts within the 200-mile exclusive fishing zone were quantified by the offshore survey, 1985-1987.

29. The St. Helena Fisheries Corporation was established in November 1979 by an ordinance enacted by the Governor. Employment within the Corporation during 1992/93 consisted of 14 workers, excluding fishermen.

30. A Directorate of Fisheries was established in order to carry out government duties and responsibilities in the fisheries sector and to administer offshore licensing operations.

31. Local sales and export statistics are as follows:

Year	Local sales		Exports	
	Tons	Value (pounds sterling)	Tons	Value (pounds sterling)
1986/87	107.69	98 311	85.63	85 666
1987/88	117.71	110 670	77.12	78 120
1988/89	116.98	115 805	92.46	88 057
1989/90	109.80	121 522	154.54	128 124
1990/91	83.21	108 406	154.53	128 124
1991/92	88.91	118 782	26.66	38 399
1992/93	69.66	108 364	87.06	115 056

F. Industries

32. There is no large-scale industry on St. Helena. All crafts are practised on a cottage-industry basis, with technical, financial and marketing facilities provided by the Government, through the Home Industries Section. There is no industrial development financed by outside investment.

G. Transport, communications and utilities

33. There is no airport or airstrip on St. Helena, and no railway. The only port is Jamestown, which provides good anchorage for ships of any size. The island's main link with the outside world continued to be the RMS St. Helena, which is owned and chartered by the St. Helena Shipping Company, Ltd., and which plies between Avonmouth in the United Kingdom and Cape Town in South Africa, calling at the Cape Verde islands and Ascension. The service receives an annual subsidy of some £2 million from the United Kingdom.

34. During 1992/93, a total of 392,139 cubic metres of treated and untreated water were supplied for domestic, commercial and agricultural purposes. The supply of treated water remained at a reasonable standard.

35. Electricity for the Territory is supplied by the Energy Division of the Public Works and Services Department. A total of 5,535,910 kilowatt-hours were generated in 1992/93. Electricity is generated by Ruperts Valley power station. Fuel is imported in bulk and pumped ashore. There are 45 kilometres of high voltage line carrying electricity to most of the Territory and 112 distribution transformers are connected en route.

H. Banking and credit

36. The only bank is the Government Savings Bank, which does not offer the full range of normal commercial banking facilities. Limited credit facilities for house-building and home improvements are made available on very easy terms through the Government Housing Loans Board and the Government Savings Bank. Total deposits at the Government Savings Bank as at 31 March 1991 amounted to £3,455,379, compared with £3,320,504 during the previous year.

37. All financial transactions are ultimately channelled through London, and United Kingdom bank rates apply. No exchange controls operate on the island, and to the extent that overseas transactions are channelled through London, United Kingdom control measures apply. The deficit on the island's trading operations is, in effect, borne by the United Kingdom Treasury grant-in-aid. Local currency in circulation as at 31 March 1993 was £2,848,427, comprising £2,508,467 in notes and £339,960 in coins.

I. International trade

38. St. Helena's main imports are food products and tobacco, motor spirits and fuel oil, animal feed, building materials, motor vehicles, machinery and spare parts. Its only exports are fish and handicrafts. Its main trading partners remain the United Kingdom and South Africa. Others include Brazil and Ascension.

IV. SOCIAL CONDITIONS

A. General

39. Living standards are reported to be improving on St. Helena, as various development projects continue to employ both skilled and unskilled workers. Wages remitted to St. Helena by workers on Ascension and the Falkland Islands (Malvinas) have enabled many families to build new homes or to improve the standard of existing ones. The rate of inflation continued to increase, however. There has been a continued rise in the retail price index, which increased by 8 per cent in 1992/93.

40. According to the administering Power, there are no racial or cultural problems in the Territory, which consists of a homogeneous English-speaking community with a single education system.

B. Labour

41. The Government's labour policy is to create the maximum number of job opportunities and to provide as much training as capacity and funds permit. Following the collapse of the flax industry, the Government of St. Helena has become the major employer of labour in the Territory, with the Ascension island "User" and Falkland Islands (Malvinas) organizations fulfilling a vital role. According to the administering Power, 536 St. Helenians were employed as at

March 1993 on Ascension, 242 on the Falkland Islands (Malvinas) and 132 in the United Kingdom, for tours of one to two years.

42. The territorial Government continued to give serious consideration to the restructuring of employment and decreed that it could not continue to guarantee employment for everyone. Community work is available for the unemployed. Those who are unable to obtain a position on this scheme and are willing and able to work can apply for unemployment allowances. Community employment is available to both men and women.

43. At the end of March 1993, there were 100 persons of both sexes under 60 years of age employed to do community work. Seasonal employment is provided for between 20 and 30 women in fish processing by the St. Helena Fisheries Corporation, a statutory Corporation, and St. Helena Canneries.

44. The principal categories of wage earners in St. Helena are agricultural labourers, skilled and general labourers, mechanics, engineers, motor drivers, building tradesmen, apprentices, fishermen and boatmen.

45. In 1992/93, average weekly rates of pay were £39 for government agricultural and general labourers and £44 for commercially hired labourers in the same category; £42 for government skilled labourers and £51 for skilled labourers in the commercial sector; and £21 for government apprentices (£20 for apprentices in the commercial sector).

C. Public health

46. According to the administering Power, the general state of health of the population is good and its nutritional status is generally satisfactory. Public health is the responsibility of the Public Health Committee of the Legislative Council. The Chief Medical Officer administers the Public Health Department. The Territory has one general hospital at Jamestown, a mental hospital at Half Tree Hollow and a handicap day centre at Longwood. There are six rural health clinics at strategic sites in the Territory, which are visited regularly by doctors and community nurses. Recurrent public health expenditure in 1992/93 was £1,032,200.

D. Social security and welfare

47. The Employment and Social Services Committee of the Legislative Council has general responsibility for the Employment and Social Services Department, and is concerned with a wide range of matters. The annual budgetary provision for 1992/93 for social security and welfare was £905,000.

48. At the end of March 1993, 420 needy persons received income-related benefit payments in the form of cash issues varying from £17.05 to £35 per week. A Home Help Scheme was launched in 1981, and at the end of March 1993 employed some 50 women. In addition, unemployment allowance varying from £11.50 upwards is payable.

E. Education

49. Education is free. Attendance is compulsory for all children between the ages of 5 and 15 years, but the power to exempt children over 15 years lies with the Education Committee. There are 11 schools in the Territory. The number of teachers in 1993 was 117, 4 of whom were St. Helenians. In 1992/93, school enrolment totalled 1,185 (1,164 indigenous). Illiteracy in the Territory was estimated at 1 per cent of the total population over 7 years of age.

50. Total expenditure on education in 1992/93 was £926,240.

V. DEPENDENCIES OF ST. HELENA

A. Tristan da Cunha

51. Information on the island of Tristan da Cunha for the period ending in 1993 is contained in a previous working paper on St. Helena prepared by the Secretariat (A/AC.109/1152, paras. 48-70). No further information has been received by the Secretariat.

B. Ascension

52. Information on the island of Ascension for the period ending in 1988 is contained in a previous working paper on St. Helena prepared by the Secretariat (A/AC.109/1071, paras. 119-129). No further information has been received by the Secretariat.

Notes

1/ Information regarding St. Helena and the dependency of Ascension has been derived from published reports and from information transmitted to the Secretary-General by the Government of the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter of the United Nations, on 28 May and 20 September 1993.

2/ See A/C.4/48/SR.13.

3/ DP/CP/STH/1; see also A/AC.109/1105.

4/ DP/CP/STH/2; see also DP/1993/SCPM/L.3/Add.13.

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UNITED STATES VIRGIN ISLANDS

Working paper prepared by the Secretariat

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UNITED STATES VIRGIN ISLANDS 1/

I. GENERAL

1. The United States Virgin Islands is situated 75 kilometres east of Puerto Rico and comprises about 50 islands and islets, the largest of which are St. Croix (218 square kilometres), St. Thomas (73 square kilometres) and St. John (52 square kilometres). The capital of the Territory, Charlotte Amalie, is located on St. Thomas.

2. According to the latest census, taken in the United States Virgin Islands in 1990, the population of the Territory was 101,809 (St. Croix, 50,139; St. Thomas, 48,166; and St. John, 3,504). Females outnumbered males 52,599 to 49,210.

3. The climate of the Territory is subtropical and is moderated by the trade winds. The Territory has an average annual rainfall of 114 centimetres (45 inches) and lies within the hurricane zone. In September 1989, Hurricane Hugo struck the Territory and caused extensive damage, estimated at over US$ 1 billion, 2/ to the Territory's infrastructure and its residential, commercial and tourist facilities (for details see A/AC.109/1029).

4. In his state of the Territory address on 24 January 1994, the Governor stated that, following Hurricane Hugo, the United States Virgin Islands had developed modern emergency management facilities to direct the Territory in times of natural disaster.

II. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

A. Constitutional developments

5. The Revised Organic Act of the Virgin Islands, 1954, as amended, 1968-1972, remains the Constitution of the Territory. The Government consists of three distinct branches: executive, legislative and judicial. The Governor, who is the chief executive, and the Lieutenant-Governor are elected jointly for a four-year term.

6. The Governor is responsible for administering all activities of the executive branch, including the appointment and removal of all staff, and executing federal and local laws, including the application in the United States Virgin Islands of those provisions of the Constitution of the United States of America that are not inconsistent with the islands' status as an unincorporated Territory of the United States. The Governor may recommend bills to the Legislature and veto any legislation, as provided in the Revised Organic Act.

7. The United States Secretary of the Interior has the power to appoint a federal comptroller for the Territory (who may not be a member of any executive department of the territorial Government) whose functions include improving the efficiency and economy of government programmes and auditing and supervising the

use of federal funds. Since early 1983, the role of federal comptroller has been assumed by the Inspector-General, United States Department of the Interior.

8. In order to be eligible to register as a voter, a person must be a citizen of the United States, must be 18 years of age or older and must have been a resident of the Territory for 90 days. The Legislature is empowered to prescribe other qualifications provided that no property, language or income qualifications may be imposed and that no discrimination may be made on the grounds of race, sex or religious belief. The Absentee Voter's Bill, which was signed into law on 28 July 1972, provides for absentee voting procedures.

9. Since 1973, the Territory has sent a non-voting delegate to the United States House of Representatives. The delegate, whose term is for two years, is elected by majority vote.

B. Political parties and elections

10. There are three political parties in the Territory: the Democratic Party of the Virgin Islands (DPVI), which is the largest; the Independent Citizens Movement (ICM); and the Progressive Republican Party of the Virgin Islands (PRPVI).

11. General elections are held in the Territory every two years for the 15 seats in the Senate of the Virgin Islands, for the Territory's delegate to the United States Congress and to the territorial Board of Education and Board of Elections. Elections for the office of Governor and Lieutenant-Governor are held every four years. The position of Governor is limited to two consecutive terms. Gubernatorial elections were last held in November 1990.

12. The last elections for the 15 elected seats in the Virgin Islands Senate were held on 3 November 1992 and were contested by 41 candidates comprising 14 independents and 27 members of the three political parties (14 from DPVI, 7 from PRPVI and 6 from ICM). Out of a total of 40,887 registered voters, 26,770, or 65.5 per cent, voted in the above elections. The final results were as follows: DPVI won 7 seats; PRPVI, 4 seats; independents, 3 seats; and ICM, 1 seat. Nine incumbents were defeated in the elections. A DPVI-led coalition of 10 members, formed after the elections, is the majority bloc in the Twentieth Legislature. 3/

13. Mr. Ron de Lugo, a Democrat, defeated his opponent by a 21 per cent lead to be re-elected as the Territory's delegate to the United States Congress for a tenth term; he served in that capacity until his retirement in January 1994.

14. The next general elections in the Territory are scheduled to be held in 1994.

C. Future status of the Territory

15. On 25 January 1993, Governor Alexander Farrelly proclaimed 1993 "The Year of Status" in the Territory. The Governor pledged to provide full support for

the public education programme of the Commission on Status and Federal Relations, which had been established in 1988, and would conduct a referendum on federal relations and future political status in September 1993. The Governor stated that he intended to propose legislation to create a mechanism to begin immediate consultations between the Territory and the Government of the United States to implement any changes in their relationship that would result from the referendum. 4/ During the first phase of the referendum, voters would choose between three options: (a) continued or enhanced territorial status; (b) complete integration with the United States; and (c) removal of United States sovereignty. A further referendum would be held to decide on one of seven political options within the following categories: (a) statehood and incorporated status; (b) compact of federal relations or commonwealth and status quo; and (c) free association and independence.

16. During the period under review, the first phase of the referendum was completed. According to press reports, on 11 October 1993, 10,710 persons, comprising 31.4 per cent of the eligible voters in the Territory, participated in the referendum. Published results were as follows: 80.3 per cent voted in favour of "continued or enhanced territorial status"; 14.2 per cent voted for "complete integration with the United States"; and 4.8 per cent favoured "removal of United States sovereignty". 5/

Position of the territorial Government

17. In his state of the Territory address on 24 January 1994, the Governor stated that "warm and cordial relations" had been established between the United States Virgin Islands and the United States federal Government and that the Territory and the administering Power "had been able to establish strong bonds in the atmosphere of mutual respect".

Action by the General Assembly

18. On 10 December 1993, the General Assembly adopted resolution 48/51, a consolidated resolution on 10 Territories, including the United States Virgin Islands.

19. In part B, section X of the resolution, the General Assembly noted the consultative character of the referendum which was held in the United States Virgin Islands on 11 October 1993 and the concerns raised in the Territory prior to the referendum about the questions of residency requirements and the availability of information on that political process. The Assembly requested the administering Power to assist the territorial Government in its efforts to attract light manufacturing and other enterprises to the Territory in order to diversify its economy. It invited the administering Power, as a matter of urgency, to facilitate the transfer of Water Island to the territorial Government; reiterated its request to the administering Power to facilitate as appropriate the participation of the Territory in the Organization of Eastern Caribbean States and the Caribbean Community (CARICOM), as well as in various international and regional organizations, including the Caribbean Group for Cooperation in Economic Development of the World Bank, in accordance with the policy of the administering Power and the terms of reference of such organizations; and called upon the administering Power to respond favourably to

the request of the territorial Government to dispatch a United Nations visiting and observer mission to the Territory.

D. Public service

20. The public service continued to be the largest single employer in the Territory. In December 1992, out of a total of 44,490 employed persons, government employees numbered 13,800 (770 federal and 13,030 territorial). Compared with the previous year, the number of federal employees remained the same, while territorial employees increased by 170.

21. In his state of the Territory address on 24 January 1994, the Governor reviewed the relations of the Government with the labour unions representing public employees. He acknowledged the fact that owing to the fiscal deficit of the territorial Government, $64 million in retroactive salary increases had been withheld during 1992-1993. He noted that, during 1993, the Government and the unions had concluded negotiations on 6 agreements. Another 5 were under negotiation and 15 were pending. The Governor pointed out that the Division of Personnel of the Department of Public Service had completed a comprehensive review and evaluation of the United States Virgin Islands public service.

E. External relations

22. The United States Virgin Islands is an associate member of the Economic Commission for Latin America and the Caribbean (ECLAC) and its subsidiary bodies, including the Caribbean Development and Cooperation Committee (CDCC). In December 1992, at its fourteenth ministerial session, CDCC adopted the report of its Working Group on Non-Independent Caribbean Countries which was presented by the representative of the United States Virgin Islands who was Chairman of the Working Group. 6/ At the session, CDCC adopted resolution 37 (XIV) entitled "Support for Non-Independent Caribbean Countries' Access to the United Nations system", by which CDCC called on the Chairman of CDCC, in consultation with the Chairman of the Working Group, to initiate contacts with the Chairman of the Special Committee with the aim of seeking formal collaboration between the two bodies in furtherance of the ongoing study by the Working Group on the access of non-independent Caribbean countries to the United Nations system. The Chairman of the Special Committee attended the ministerial session of CDCC and made a statement. He was accompanied by the representative of the Congo. The Territory continued to cooperate with other Caribbean and Pacific countries and to participate in conferences and programmes organized by Governments, international organizations and multilateral agencies.

F. Other developments

23. During the period under review, discussions continued between the territorial Government and the Government of the United States over the transfer of Water Island (the fourth largest island) to the territorial Government upon expiration of the lease to private developers in December 1992 (see also A/AC.109/1109, paras. 39-41).

24. In his state of the Territory address in January 1994, the Governor stated that the United States Virgin Islands "will continue to push for the resolution of the transfer of Water Island to the territorial jurisdiction".

III. MILITARY INSTALLATIONS

25. The United States Navy currently maintains a radar and sonar calibration station and a headquarters building for its underwater tracking facility. There are permanent recruitment centres for the armed forces and a detachment of the United States Coast Guard on St. Thomas. The Virgin Islands National Guard is affiliated with the United States Army. The Territory remained a port of call for United States naval vessels and those of its allies. (For recent developments, see the working paper on military activities and arrangements in the United States Virgin Islands (A/AC.109/1187).)

IV. ECONOMIC CONDITIONS

A. General

26. The economy of the Territory is based on tourism and related services, construction and industrial development. The largest oil refinery in the western hemisphere, with a capacity of 700,000 barrels a day, is located in the Territory. The Territory is also a centre for international business and, since 1985, has been the location of over 80 per cent of the United States foreign sales corporations. The development of agriculture continued to be a priority of the Government's overall policy of diversification. In 1989, the latest year for which data is available, the gross territorial product was estimated at $1.3 billion and the per capita personal income was $11,052.

B. Public finance

27. According to press reports, on 3 September 1993 the Governor presented to the Legislative Assembly the budget for the 1994 fiscal year. The revenue was estimated at $385 million against proposed expenditures of $430.5 million ($380 million and $426 million, respectively, in fiscal year 1993). 7/

28. In his state of the Territory address in January 1994, the Governor emphasized that during 1993 the fiscal problems of the territorial Government had been most severe and that the budget deficit at the end of 1993 fiscal year had stood at $27 million. In addition, it was expected that the budget deficit in fiscal year 1994 would be similar to the indicator of 1993.

29. In addressing the rising budget deficit, the territorial Government established a deficit reduction task force which was to work out a plan of action to reduce wasteful spending, introduce improved revenue collection and enhance fiscal management. A report of the task force should be submitted to the Governor in 1994.

30. The Governor also recommended the implementation of the following measures: (a) curbing abuses of sick-leave and overtime by certain departments and agencies; (b) cutting back on excessive administrative personnel; (c) reducing operating costs of some governmental agencies; and (d) streamlining basic personnel and procurement policies. He also recommended an increase of revenue by raising the gross receipt tax from 4 per cent to 4.7 per cent, introducing a new 2 per cent payroll tax and increasing bank fees from $100,000 to $500,000.

31. According to the Governor, during the period under review, the Government completed an exercise aimed at reconciling all government bank accounts for 1986-1992 as well as finalizing comprehensive financial reports for fiscal years 1988 and 1989. It is expected that in 1994, comprehensive financial reports for the period 1990-1993 would be ready and that an audit would be conducted on financial reports for 1993.

C. Agriculture, livestock and fisheries

32. The policy of the territorial Government continued to be aimed at rebuilding the agricultural infrastructure by providing suitable land for the production of food and cattle and by offering suitable incentives to farmers and fishermen (see A/AC.109/1109, paras. 54-58).

33. In May 1993, in their testimony before the Territorial Senate Economic Development and Agricultural Development Committee, several farmers from St. Thomas stated that farming continued to flounder on St. Thomas and urged the Government to take action to bolster agriculture. They particularly referred to the lack of arable land and water needed for agriculture. 8/

D. Industrial development

34. The industrial sector, which is based primarily on St. Croix, consists of heavy manufacturing industries such as oil refinery and aluminium production, as well as light industrial enterprises, which include watch-assembly companies, pharmaceutical, garment and electronic industries, all of which benefit from duty-free entry into the United States. The Territory also exports a significant quantity of rum to the United States. The territorial Government provides several tax and other incentives in order to encourage new industries to locate there (see also A/AC.109/1109, paras. 59-63).

35. According to the territorial Government, the value of exports of refined petroleum to the United States declined by 16.4 per cent from $2.3 billion in 1990 to $1.96 billion in 1991. The value of exports of aluminium declined by approximately 50 per cent from $30.6 million in 1990 to $15.3 million in 1991. During the same period, the quantity of rum exports to the United States declined by 8.5 per cent from 9.8 million litres to 9 million litres. The amount of rum excise taxes returned to the Territory, however, increased from $29.2 million in 1990 to $31.5 million in 1991. The latest figure on the volume of watches exported from the Territory was 3.18 million pieces in 1988. 9/

E. International business

36. The Lieutenant-Governor continued to be responsible for the regulation and supervision of domestic and international banks, insurance and other companies. United States federal authorities also supervise United States banks and companies operating in the Territory.

37. In his state of the Territory address in January 1994, the Governor stated that, during 1993, the territorial Government had processed 17,401 licences for banks and other companies. Fee collection had increased by $776,184 (or 25 per cent), compared with 1987. He reiterated his commitment to creating a favourable business climate in the United States Virgin Islands.

38. According to the administering Power, the insurance rates in the Territory are among the highest within the United States and its dependent Territories. Further, as a result of Hurricane Hugo, premiums for commercial property increased from 0.55 per cent of total property value to between 1.6 and 1.8 per cent of total property value. Residential rates increased from 0.35 per cent to 1.2 per cent.

39. The report of the administering Power also indicates that a cumbersome process of obtaining business permits continues to be a disincentive for investment in the United States Virgin Islands. Another major factor discouraging foreign investment is the perception of the Territory as a high-crime area.

40. In his state of the Territory address in January 1994, the Governor stated that, in 1993, the Government of the United States Virgin Islands purchased the assets of the West Indian Company, a wholly owned subsidiary of the East Asiatic Company of Denmark, which had significant property and development interests in the Charlotte Amalie Harbor.

F. Tourism and related services

41. According to the administering Power, tourism has recovered from the setbacks created by the devastation caused by Hurricane Hugo in 1989. The number of visitors in 1991 totalled 1,942,700, compared with 1,917,800 in 1987. Total tourism-related expenditure amounted to $708 million in 1991; that same year, tourism-related employment totalled 8,090, a decline of 3.3 per cent from the previous year. The industry continued to be a major employer in the Territory, however, accounting for 19 per cent of its total employment.

42. The administering Power also indicates that approximately two thirds of the tourists are day visitors from cruise ships. The number of those visitors increased by 8.5 per cent in 1991, compared with 1990. Air arrivals in 1991 totalled 682,400, compared with 695,400 in 1990. That decline is attributed to the effects of the economic recession in the United States, since over 80 per cent of the United States Virgin Islands hotel guests originate from the mainland United States.

43. In his 1994 state of the Territory address, the Governor noted with satisfaction that during the period between October 1992 and October 1993, a record high of 731,000 air arrivals were registered, an increase of 11 per cent over the previous fiscal year. The hotel room occupancy for the same period increased by 52.4 per cent on St. Croix, by 21.7 per cent on St. Thomas and by 21.7 per cent on St. John. Cruise ship arrivals registered a 5 per cent decline during the 1993 fiscal year, compared with the previous year. The Governor attributed that decline to a number of the cruise ships shifting from the Caribbean to Alaska and the Mediterranean.

G. Communications and basic facilities

Roads

44. According to the administering Power, the Territory of the United States Virgin Islands has an extensive road network. The federally aided system which covers the primary system is 431 kilometres in length. In addition, there are local roads that make up the secondary network. Private (subdivision) roads are being turned over to the Government and are to be maintained by the Department of Public Works. The Department, however, is reluctant to incorporate those roads which are generally of substandard quality since they would require major and costly maintenance work. The Territory has embarked on a construction programme for road improvements financed by the Federal Highway Trust Fund. The Fund has earmarked $87.5 million for the project for the period 1993-1998.

Ports

45. The United States Virgin Islands Port Authority (VIPA) operates and maintains a number of ports on St. Thomas, St. John and St. Croix. On St. Thomas, the principal facility is Crown Bay which has three berths for cruise ships, two for container ships and small cargo ships, and a marina for 100 boats. The public wharf at Charlotte Amalie serves small passenger boats travelling between the United States Virgin Islands and nearby destinations in the Caribbean such as the British Virgin Islands and Puerto Rico. Charlotte Amalie also has cruise ship facilities. Crown Bay has a container dock and roll-on/roll-off facilities. Cruz Bay on St. John has both passenger and cargo facilities. Implementation of plans to expand the ports at St. Thomas and St. John and to relocate some of their facilities will depend on the securing of the necessary permits and funds for the project.

Airports

46. There are two airports in the Territory, the Cyril E. King Airport on St. Thomas and the Alexander Hamilton Airport on St. Croix. According to the administering Power, the airport facilities on St. Thomas are being expanded - a new terminal has been completed and a 2,195-metre runway with a parallel 2,134-metre taxiway, as well as a cargo terminal, are under construction. The airport on St. Croix had been severely damaged by Hurricane Hugo. Many buildings had been destroyed. The airport terminal, however, while sustaining considerable damage, had retained its structural integrity. Since the

hurricane, extensive repairs have been made to the terminal and to air traffic control systems.

Water supplies

47. Water requires critical attention in the United States Virgin Islands principally because the three main islands rely on a saltwater conversion process for most of their potable water supply. Production costs are significant and water conservation is of paramount importance.

48. St. Thomas has a water demand of approximately 13.6 to 15.9 million litres per day. The desalination facility on the island, which utilizes waste heat from the electric power station, produces 13.6 million litres per day of potable water. This source is supplemented by a limited amount of rain water. According to the administering Power, a water production expansion project, which should increase water desalination capacity by 6.4 million litres per day, is near completion.

49. On St. Croix where demand for water is between 11.4 and 12.5 million litres per day, the main sources of potable water are groundwater and desalination by distillation, with a production of 4.5 and 9.1 million litres per day, respectively.

50. On St. John, a reverse osmosis project, which provides the island with 0.7 million litres per day of potable water, has been completed recently. This eliminates the need to import, by barge, 50 per cent of the island's demand in potable water from St. Thomas.

Sewerage system

51. According to the administering Power, all three islands have waste-water treatment plants and sewage collection systems. In addition, a number of dwellings have individual waste-water disposal systems which are not connected to the main system. All waste-water treatment plants discharge effluent to either an inland stream or the ocean. The towns of Charlotte Amalie on St. Thomas and Christiansted on St. Croix, which have limited quantities of potable water, use saltwater to rinse their sewerage systems.

Solid waste disposal

52. Information provided by the administering Power indicates that solid waste handling and disposal in the United States Virgin Islands are very efficiently managed under the direction of the Department of Public Works. Collection, landfill operations, recycling and litter control are of a reasonably high standard. The handling of solid waste is a seven-day-a-week operation principally because of the method of roadside collection from bins.

Power generation and distribution

53. The territorial Water and Power Authority, commonly referred to as WAPA, is an autonomous utility agency serving a total of approximately 45,000 customers on St. Thomas, St. John, Water Island, Hassel Island and the island of

St. Croix. The system is managed by WAPA headquarters on St. Thomas. Major generating facilities are located on St. Thomas and St. Croix, with a stand-by facility on the island of St. John.

H. Foreign trade

54. The Territory's foreign trade continued to be dominated by petroleum products and by alumina since resumption of its production in 1990. The United States continued to be the Territory's main trading partner. Venezuela is the source of bauxite ore which is used in the production of alumina.

I. Public works

55. In his state of the Territory address in January 1994, the Governor indicated that, in 1993, the funding obligations of the Department of Public Works reached $19 million. During the year, the Department had initiated a $35 million programme of road construction and other transportation-related projects throughout the Territory. The Governor also reported that a minimum of $17 million will be allocated for critical mitigation projects to alleviate damages caused by natural disasters.

V. SOCIAL CONDITIONS

A. Labour

56. According to the Governor, as of September 1993, the employed labour force in the United States Virgin Islands was 48,010 (43,600 in 1987) and the unemployment rate was 3.8 per cent (6.2 in 1987). The average annual salary in the private sector was $20,155; in the public sector it was $26,253 ($13,843 and $15,330, respectively, in 1987). In 1993, the unemployment insurance reserve fund stood at $51.8 million, compared with $8.1 million in 1987.

57. According to the administering Power, the limited population of the United States Virgin Islands makes it difficult for the Territory's educational system to provide the various professional skills necessary to meet the demands of the economy. Critical skills can be imported, but the lack of a qualified labour force often impedes sustained growth.

B. Public health

58. The Virgin Islands Department of Health continued to be responsible for the provision and management of health-care services for the Territory's residents and visitors. Although some services are provided by the private sector, the majority of services are provided by, through, or under the direction of the Department. The relatively high poverty level contributes to a lower health status of the population.

59. The geography of the Territory requires that each island have a self-contained health system. Similarly the geography of each island requires that primary care services be decentralized in order to get the services to residents within a reasonable time. The demography of the Territory represents a wide diversity. The immigration of families and individuals has resulted in an influx of illnesses not found in the United States. The emigration of young adults has resulted in the Territory's high proportion of children and older adults, two groups which are the greatest users of health care.

60. There are two hospitals in the Territory, the St. Thomas Hospital and the St. Croix Hospital, both of which were completed in 1982. Both hospitals are medical centres, each with a 250-bed capacity. The St. Croix Hospital was heavily damaged by Hurricane Hugo.

61. According to the Governor, during 1993, the territorial Government improved the financial management of its health care operations and its Medicaid and Medicare systems and continued its efforts at rebuilding the hospitals after the devastation inflicted by Hurricane Hugo.

62. On 13 October 1993, the territorial Government enacted legislation authorizing the Public Finance Authority to sell $15 million in general obligation revenue bonds for the acquisition of equipment and supplies for capital improvements to health care facilities throughout the islands. 10/

63. According to press reports, the United States Virgin Islands, along with all other United States Territories, will participate in the health care reform plan of President William Clinton. It is expected that the implementation of that plan will be of crucial importance to the system of public health in the Territory. 11/

64. It is reported that acquired immune deficiency syndrome (AIDS) has become a major problem in the Territory. According to statistical data for November 1993, 150 persons were afflicted with AIDS; 800 persons tested positive for human immunodeficiency virus (HIV) and almost 8,000 persons were believed to have AIDS or to be HIV-positive without knowing it. 12/

65. Tuberculosis is also reported to have become a major public health problem in the United States Virgin Islands. Owing to the lack of necessary equipment for the diagnosis and treatment of that disease, the establishment of a specialized tuberculosis clinic in the Territory is considered to be an urgent necessity. 13/

C. Crime and crime prevention

66. In his state of the Territory address, the Governor said that violent acts had escalated and had become too frequent in the Territory. To reduce crime, the territorial Government had taken the following measures: creation of a firearms amnesty programme as a means of removing illegal and unregistered firearms from the community; introduction of illegal-weapons-search operations throughout the Territory; organization of an inter-agency approach to drug interdiction and illegal importation of firearms in the Territory involving both

the federal and local law enforcement agencies; involvement of the United States Virgin Islands National Guard in training for policing activities; expansion of crime prevention and crime watch programmes with emphasis on community policing programmes; utilization of peace officers to protect tourists during the Territory's peak tourist season; setting up of new training programmes for the police force; establishment of a territorial crime laboratory for the timely processing of criminal evidence; and expansion of the jurisdiction of the territorial Court of Law. Another major component of the territorial Government's policy on crime reduction is the creation of inter-agency programmes for troubled children, youths and their families.

67. According to the administering Power, the correctional facilities on both St. Croix and St. Thomas are seriously overcrowded. In his state of the Territory address, the Governor emphasized significant accomplishments achieved by the Bureau of Corrections during 1993 which had resulted in substantial improvements to the Golden Grove prison on St. Croix. According to press reports, 14/ in July 1993, the Territory received a federal grant of $5 million for the upgrading of that correctional facility.

68. Press reports indicate that in October 1993, a group of prisoners at the St. Thomas correctional facility filed a $55 million class action lawsuit against the United States Virgin Islands Government, alleging violation of their constitutional and civil rights. The group referred to conditions in the facility as inhuman, citing such facts as overcrowding, rat infestation, sharing cells with mentally ill inmates, inadequate medical treatment and exposure to inmates with tuberculosis and AIDS. 15/

VI. EDUCATIONAL CONDITIONS

69. Education in the Territory is free and compulsory for children up to the age of 16 years. The Department of Education administers 44 schools: 25 on St. Thomas, 16 on St. Croix and 3 on St. John. According to the administering Power, the damage to schools caused by Hurricane Hugo is almost completely repaired.

70. In his state of the Territory address, the Governor reiterated that education continued to be his priority. The Department of Education was currently operating under a comprehensive strategic plan. A comprehensive testing programme for students and a comprehensive school health programme had been introduced in the Territory in 1993. Following repairs to damage caused by Hurricane Hugo, the present condition of the public school infrastructure was the best in decades.

71. Post-secondary education is provided by the University of the Virgin Islands. The University provides programmes in agriculture, teacher education, business and resource management.

Notes

1/ The information contained in the present paper has been derived from published reports and from information transmitted to the Secretary-General by the Government of the United States of America under Article 73 e of the Charter of the United Nations on 12 July 1993.

2/ The local currency is the United States dollar (US$).

3/ The Daily News (United States Virgin Islands), 3, 4, 17 and 26 November 1992.

4/ Ibid., 26 January 1993.

5/ Ibid., 12 October 1993.

6/ United Nations Economic Commission for Latin America and the Caribbean, report of the meeting of the Working Group on Non-Independent Caribbean Countries, document LC/CAR/G.386.

7/ The Daily News (United States Virgin Islands), 1 October 1993.

8/ Ibid., 6 May 1993.

9/ United States Virgin Islands, Bureau of Economic Research, Department of Economic Development and Agriculture.

10/ United States Virgin Islands, Office of Public Relations, Official News Release No. 909, 14 October 1993.

11/ The Daily News (United States Virgin Islands), 23 September 1993.

12/ Ibid., 7 September 1993 and 21 November 1993.

13/ Ibid., 23 September 1993.

14/ Ibid., 29 July 1993.

15/ Ibid., 6 October 1993.

UNITED NATIONS

A

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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

SEMINAR TO REVIEW THE POLITICAL, ECONOMIC AND SOCIAL CONDITIONS IN THE REMAINING NON-SELF-GOVERNING TERRITORIES, TO BE HELD AT UNITED NATIONS HEADQUARTERS, NEW YORK

Guidelines and rules of procedure

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I. INTRODUCTION

1. At its forty-sixth session, the General Assembly adopted resolution 46/181 of 19 December 1991 entitled "International Decade for the Eradication of Colonialism", and a plan of action "aimed at ushering in the twenty-first century, a world free from colonialism", in which, inter alia, it requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to "organize during the Decade seminars in the Caribbean and Pacific regions alternately, as well as at United Nations Headquarters, to review the progress achieved in the implementation of the plan of action, with the participation of the peoples of the Non-Self-Governing Territories, their elected representatives, the administering Powers, Member States, regional organizations, specialized agencies, non-governmental organizations and experts".

2. In its resolution 46/70 of 11 December 1991 calling for coordinated assistance of the specialized agencies to the remaining Non-Self-Governing Territories, the General Assembly stated that "in addition to general problems facing developing countries, the remaining Non-Self-Governing Territories, many of which are small island Territories, also suffer handicaps arising from the interplay of such factors as their size, remoteness, geographical dispersion, vulnerability to natural disasters, the fragility of their ecosystems, constraints in transport and communications, great distances from market centres, a highly limited internal market, lack of natural resources, weak indigenous technological capacity, the acute problem of obtaining freshwater supplies, heavy dependence on imports and a small number of commodities, depletion of non-renewable resources, migration, particularly of personnel with high-level skills, shortage of administrative personnel and heavy financial burdens".

3. At its forty-eighth session, the General Assembly, by its adoption of resolution 48/52 of 10 December 1993 entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" approved, inter alia, the recommendation of the Special Committee that it hold a seminar at United Nations Headquarters in 1994, to be attended by the representatives of all the Non-Self-Governing Territories. In making that recommendation, the Committee was of the view that the results of the 1994 seminar would be useful in carrying out in 1995 a mid-term review of the plan of action.

II. PLACE AND DATES OF THE SEMINAR

4. The Seminar will be held at United Nations Headquarters, New York, from 10 to 12 May 1994.

III. PURPOSE OF THE SEMINAR

5. The Seminar will mainly address political, economic and social conditions in the remaining Non-Self-Governing Territories and assess the related situation

in those Territories. The Seminar will also identify areas in which the international community could increase and enhance its participation in programmes of assistance and development and adopt a comprehensive and integrated approach to ensure the viable and sustainable development of the Territories concerned.

6. The topics to be considered by the Seminar will assist the Special Committee in focusing its attention on the specific concerns of the remaining Non-Self-Governing Territories. In this connection, the Seminar will give pre-eminence to eliciting a broad range of views of the peoples of the Non-Self-Governing Territories. It will also secure the participation of the administering Powers, of special guests, particularly personalities who are actively involved in the political, economic and social development of those Territories, and of organizations and institutions which focus on such development; and, of selected non-governmental organizations (NGOs) with long and established experience in island Territories. Special emphasis will also be placed on the participation of specialized agencies of the United Nations system, with a view to formulating specific recommendations to enhance the social and economic development of those Territories.

7. The contributions of all participants will serve as a basis for the summary of discussions of the Seminar, which will assist the Special Committee in its future consideration of the remaining Territories.

8. In this connection, participants will be required to submit papers, which will also include conclusions and recommendations/suggestions, on the following topics as they pertain to the Non-Self-Governing Territories on the list of the Special Committee:

(a) Self-determination: its application to the remaining Non-Self-Governing Territories;

(b) Heightening the awareness that General Assembly resolution 1514 (XV) of 14 December 1960 provides for the emergence of colonial countries as sovereign independent States;

(c) Heightening also the awareness of options available to the peoples of the Non-Self-Governing Territories under General Assembly resolution 1541 (XV) of 15 December 1960 concerning their future political status;

(d) Economic and social development in the small Territories and their impact on the exercise of the right of the peoples of those Territories to self-determination;

(e) The problems of small, structurally open economies: heavy dependence on imports, a limited number of commodities and highly restricted internal markets;

(f) Food production: development of small-scale agricultural activities and of fisheries, as well as of programmes to foster agricultural and fishery production, conservation and diversification;

(g) Development of tourism: its impact on the economic and social sectors, and on the environment; as well as provision of the required development assistance, training, education and communications;

(h) The issue of drug trafficking and money laundering in small-island Non-Self-Governing Territories;

(i) Development of financial management expertise and of skills necessary to negotiate and manage foreign investments; and gaining access to adequate information systems;

(j) Provision of the required assistance and access to information and expertise in the development of indigenous entrepreneurial capacities, as well as productivity improvement and manufacturing for export;

(k) Improvement in transport and communications to facilitate access to other countries;

(l) Human resources development and the consequences of emigration and immigration;

(m) Implications for the island Territories of issues pertaining to the environment and to development, such as global warming, sea-level rise, sustainable development and Agenda 21;

(n) Local efforts in national disaster preparedness: institutionalization and coordination of disaster relief; financing of public works projects; and training for disaster prevention;

(o) International and regional cooperation in order to mitigate the effects of natural disasters: provision of assistance and coordination of relief preparedness and prevention;

(p) Questions relating to the Law of the Sea and the Non-Self-Governing Territories;

(q) Policy development to ensure protection from pollution of the marine and coastal environment of small islands;

(r) Natural and environmental disaster preparedness: relief mechanisms in small islands in the Pacific and Caribbean regions;

(s) Provision of the required financial and technological assistance and ... ining to achieve conservation and management of living marine resources;

... Potential impact of climate change and the possible resultant rise in ... on the coastal and low-lying areas of small island Territories;

(u) The role of the specialized agencies, international organizations and regional organizations in the economic and social development of the Territories;

(v) Access of the Non-Self-Governing Territories to programmes and activities of the United Nations system, with the aim of identifying areas in which technical and other assistance could be provided;

(w) Particular areas in which regional cooperation requires strengthening both by the Territories concerned and by international agencies, namely, preservation and protection of marine resources from over-exploitation; sea and air transport; disaster preparedness and relief; higher education; research and development; and regional pooling arrangements for sharing special skills and expertise;

(x) Access to information and expertise in the development of small-scale industries in small Territories;

(y) Importance of the dissemination of information, to and from the Non-Self-Governing Territories, on the process of self-determination and on the improvement of economic and social conditions in the Territories.

IV. ORGANIZATION OF THE SEMINAR

9. The following provisions will govern the organization of the Seminar:

(a) The Seminar will be organized by the Special Committee in accordance with the rules of procedure contained in the annex to the present report;

(b) The Seminar, which will be attended by all the members of the Special Committee, will be conducted by the Chairman and the Bureau of the Committee;

(c) Representatives of all Non-Self-Governing Territories will be invited to participate;

(d) Also invited to attend the Seminar will be the following:

(i) Representatives of States Members of the United Nations;

(ii) Representatives of the administering Powers;

(iii) A representative of the Secretary-General;

(iv) Representatives of specialized agencies and other organizations within the United Nations system;

(v) Special guests, particularly personalities who are actively involved in the economic, social and political development of the Non-Self-Governing Territories;

(vi) Representatives of NGOs;

(vii) Appropriate media representatives.

Annex

RULES OF PROCEDURE

Preamble

The Seminar is being held under the terms of General Assembly resolution 46/181 of 19 December 1991. The organization of the Seminar and the conduct of its proceedings shall follow the general guidelines set out in the rules of procedure of the General Assembly. a/

Rule 1

Responsibility for conducting the Seminar

The Seminar shall be organized by the Special Committee and conducted by its Chairman with the assistance of the Bureau of the Committee (see rule 2 (a) below).

Rule 2

Officers of the Seminar

(a) The Chairman and the Bureau members of the Special Committee will act as Officers of the Seminar. The Vice-Chairmen and the Rapporteur will be allocated specific responsibilities by the Chairman.

(b) The Chairman shall declare the opening and closing of each meeting of the Seminar, direct its discussions, ensure observance of the present rules, accord the right to speak, put questions and announce decisions.

(c) If the Chairman is unable to be present at a meeting or any part thereof, one of the Vice-Chairmen shall preside over the meeting.

Rule 3

Agenda of the Seminar

The Seminar shall focus on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to the remaining Territories with which the Special Committee is concerned and on issues relating to specific problems of small island Territories as a means of, inter alia, disseminating information on decolonization (see also para. 8 of the main document).

Rule 4

Secretariat

(a) The secretariat of the Special Committee shall service the Seminar.

(b) The secretariat shall be responsible for all necessary arrangements regarding the organization of the Seminar.

Rule 5

Languages

(a) Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Seminar. The working languages of the Seminar shall be English, French and Spanish.

(b) Statements made in any of the six languages of the Seminar shall be interpreted into the other five languages.

(c) A person participating in the Seminar may make a statement in a language other than the official languages, on condition that the text of such statement is made available in advance in one of the official languages of the Seminar.

Rule 6

Conduct of business

(a) Decisions shall, as a rule, be taken by consensus. Should a vote be required, only members of the Special Committee attending the Seminar shall be entitled to vote.

(b) Any procedural question with regard to the conduct of business of the Seminar not covered by the present rules shall be decided upon by the Chairman in consultation with the Bureau of the Special Committee.

Rule 7

Participation in the Seminar

Participation in the Seminar shall be restricted to the persons to whom formal invitations have been addressed by the Chairman of the Special Committee in accordance with the related resolution of the General Assembly b/ and whose names appear on the official list of participants drawn up by the Chairman (see also para. 9 of the main document).

Rule 8

Debates and publicity concerning the Seminar

(a) The meetings of the Seminar shall be held in public unless the Chairman decides that exceptional circumstances require that the meeting be held in private.

(b) Statements on behalf of the Seminar to information media shall be made by the Chairman. The Department of Public Information of the Secretariat shall be responsible for dissemination of information on the Seminar, including the issuance of press releases covering Seminar meetings held in public.

(c) Participating non-governmental organizations shall be represented by the person so invited (see rule 7 above), who may make one general statement on issues within the purview of the Committee's mandate and pertaining to those Territories under its consideration during the course of the Seminar.

(d) The Chairman may limit the time to be allowed to each speaker.

(e) During the course of the discussion, the Chairman may announce the list of speakers and, with the consent of the Seminar, declare the list closed. When there are no speakers, the Chairman shall, with the consent of the Seminar, declare the debate closed.

Rule 9

Records

The Seminar shall have sound recordings of its proceedings, which shall be retained in the archives of the United Nations in accordance with established practice.

Rule 10

Report

The members of the Special Committee attending the Seminar shall adopt a report on the Seminar, the draft of which shall be prepared by the Rapporteur of the Committee. The Seminar shall entrust to the Chairman of the Special Committee the task of preparing the draft summary of discussions of the Seminar on the basis of the information contained in the report. The report of the Seminar, as well as the draft summary of discussions prepared by the Chairman, shall be submitted to the Special Committee for its consideration and for subsequent submission to the appropriate body (bodies).

Notes

a/ A/520/Rev.15 and Amend.1.

b/ Resolution 46/181.

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A

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SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

TURKS AND CAICOS ISLANDS

Working paper prepared by the Secretariat

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I. GENERAL 1/

1. The Turks and Caicos Islands lie south-east of the Bahamas and about 145 kilometres north of the Dominican Republic. The Territory consists of two groups of islands separated by Turks Island Passage, a deep-water channel approximately 35 kilometres wide. The Turks Islands are situated east of the Passage and the Caicos Islands to the west. The Turks group comprises two inhabited islands, namely, Grand Turk (on which Cockburn Town, the capital, is located) and Salt Cay, as well as eight uninhabited cays and a large number of islets. The principal islands in the Caicos group are North Caicos, South Caicos, Middle (or Grand) Caicos and Providenciales. East Caicos and West Caicos are uninhabited.

2. According to information received from the Office of the Chief Minister of the Territory, the latest census taken in the Territory, on 31 May 1990, registered a population of 11,465, a 54.5 per cent increase from 7,413 tallied in the 1980 census. In mid-1991, the population was estimated at 12,500. 2/

II. CONSTITUTION AND CONSTITUTIONAL DEVELOPMENTS

A. Constitution

3. The 1988 Constitution of the Territory provides for a Governor appointed by the Queen, an Executive Council and a Legislative Council. The new Legislative Council consists of 19 members. There are 13 elected representatives, 3 members appointed by the Governor and 3 ex officio members of the Executive Council. Under the Constitution, the three members appointed by the Governor are chosen as follows: one member on the advice of the Chief Minister, another in consultation with the Leader of the Opposition and a third at his own discretion.

4. The Turks and Caicos Islands Constitution Order, 1988, conferred powers of administration on the Governor that were usually those of the elected Government. According to the Constitution, the Governor may refuse to assent to legislation or bills passed by the Legislature. He may also enforce bills that have not previously been approved by the Legislature.

B. Political parties and elections

5. General elections are held every four years. The general elections of 3 April 1991 were contested by candidates from the two traditional political parties, namely, the Progressive National Party (PNP), which won 8 of the 13 seats in the Legislative Council, and the People's Democratic Movement (PDM), which won the five remaining seats. 3/

6. On the basis of those returns, the Governor appointed the head of PNP, Mr. Charles Washington Misick, as Chief Minister, and four other elected members of the Council as Government Ministers. 4/ The new Government was sworn in on 15 April 1991 during the first session of the Legislative Council. 3/

C. Constitutional review

7. In his Budget Address to the Legislature in July 1993, the Chief Minister said that the Government of the United Kingdom of Great Britain and Northern Ireland had accepted the proposed changes to the Constitution submitted to its Foreign and Commonwealth Office by the territorial Government. The amendments, drafted during a constitutional review exercise, had enabled the Chief Minister, inter alia, to increase the number of members in the Government from five to six, and to delegate certain functions of the Public Service Commission to other government organs.

8. The constitutional changes also affected the electoral provisions by introducing a system of single member constituency for the next general elections. The Chief Minister said that his Government would continue to campaign for further constitutional changes.

9. In a letter dated 20 February 1992 addressed to the Constitutional Commissioner, the leader of the Opposition said that his party, the People's Democratic Movement, had criticized the amendments to the Constitution which, according to PDM, had been formulated without proper consultation with the people of the Turks and Caicos. His party, which did not participate in the constitutional review, characterized the whole exercise as a unilateral action by the Government.

D. Future status of the Territory

10. Following a review of its policy and management with respect to its Caribbean dependent Territories, initiated in 1991, the United Kingdom made a significant policy change in 1992. (The policy statement has been reproduced in extenso in document A/AC.109/1137, para. 17.)

11. The new policy envisages better dialogue, coordination and cooperation between the United Kingdom and the Territories. It also aims at restructuring the management of the Foreign and Commonwealth Office as well as the Overseas Development Agency, both in the United Kingdom and in the Caribbean.

12. In his address to the Legislature on 30 March 1992, the Chief Minister said that:

> "We should not seek political independence at this time as others would have us do. In the short term, this would only result in the lowering of standards, bastardization of values, the practice of corruption, the pollution of the system of justice and manipulation of the electorate as has happened in many of our neighbouring Caribbean countries" (A/AC.109/1139, para. 17).

13. On 24 November 1993, in a keynote address to a conference on dependent Territories entitled "Progress through Partnership", Mr. Douglas Hurd, Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, outlined the policy of the Government of the United Kingdom on its dependent Territories. (For a summary of his speech, see A/AC.109/1180, paragraphs 30-36.)

E. Public service

14. In his 1992 Budget Speech, the Chief Minister said that over 50 per cent of the Territory's annual budget was related to manpower costs. He added that the budgeted expenditure for the civil service for 1991/92 was US$ 29.2 million, 5/ an increase of 12.6 per cent over the previous year. The Chief Minister further said that it was essential to contain the growth of the civil service in order to ensure the success of the Government's financial policies.

15. Government statistics showed a total of 878 civil servants for the period 1992-1993 and 882 for the period 1993-1994. Addressing the Legislature in July 1993, the Chief Minister said that it had long been recognized that the civil service was overstaffed. However, there was no mechanism in place or funds available to handle a retrenchment programme. Public sector reform would inevitably call for rationalization of the service, which would include redundancy.

16. Inasmuch as previous attempts to reform the public sector had been unsuccessful, the Government had secured the services of a Public Sector Reform Coordinator, who would prepare an efficiency review study of the public service. The Government had pledged that, in the event that the study would lead to a substantial reduction in the number of civil servants, a compensation package would be granted to those affected. In addition, the Government would provide job search assistance, skills development and private sector employment incentives. The objective of that assistance programme would be to enhance the competitiveness of the dismissed workers in the labour market.

III. ECONOMIC CONDITIONS

A. General

17. The economy of the Turks and Caicos Islands continues to be based primarily on property development, offshore banking, tourism, the export of fish and government expenditure. The Territory also draws considerable external assistance from the United Kingdom, Canada and such international and regional institutions as the European Development Fund and the Caribbean Development Bank (CDB).

18. Owing to the world recession, the overall level of economic activity declined in financial year 1992/93. This situation was compounded further by persisting difficulties encountered by the Government in its quest for reliable quality air service to the Turks and Caicos Islands. The Territory experienced a drop of 8 per cent in the number of tourist arrivals. Further, it suffered a slow-down in its construction sector, as well as a shortfall in its revenue collection due in great part to poor performance in the customs sector.

19. During the period under review, the few positive developments in the economy included the completion of key tourism facilities in Providenciales and some progress in the offshore financial services, although the Government recognizes that the Territory's economic performance could be improved by better promotional activities.

20. Also during this period, the bilateral aid programme which the Government had negotiated with the United Kingdom had positive effects, among which was the setting up of public infrastructure projects designed to support the development of business and investment in the Territory. Another major economic development was the start of air services to Providenciales by an international air carrier, thereby providing a boost to the tourist industry.

21. The Caribbean Development Bank reports that, in the medium term, economic prospects for the Turks and Caicos will be linked closely to changes in the external environment, particularly economic conditions in the United States of America. Tourism is expected to be the major growth sector but, given the dependence of the Territory on the United States market, the growth prospects of this industry will depend on improvements in the United States economy. In that connection, some investors have shown interest in the tourist sector, but the uncertainty of the global economic situation has resulted in the temporary postponement of new investments. 6/

B. Public finance

22. The combined effect of the above-mentioned negative economic factors led to a budget deficit, which was expected to reach $4.8 million for the period 1992-1993, with revenue and expenditure reaching $23.4 million and $28.2 million respectively. For the period 1993-1994, the deficit was expected to be $4.1 million which would require substantial borrowing, thus raising the government debt to a critical level.

23. The Chief Minister announced that to remedy the situation the Government had taken emergency measures, which included the following: freeze on salary increments for civil servants; pay cut for ministers; selective cuts on operating expenditure such as travel (especially overseas) and subsistence costs, as well as overtime costs; selective deferral of certain training and scholarship programmes; freeze on the acquisition of small capital items included in the recurrent budget; and elimination of staff support costs such as the provision of uniforms.

24. The Chief Minister made clear, however, that certain sectors considered essential by the Government would not be subject to cost reductions. Those related to health, security, education and revenue collection. The Government was also studying the recommendations contained in a comprehensive report prepared by a consultant on ways and means to improve the efficiency of the Government's revenue collection. The Chief Minister stressed that this exercise was not about raising more revenue by imposing new taxes. Rather, taking into account the report's warning against overtaxing the Territory's economic base, the Government's initiatives would focus on devising a more efficient way of collecting taxes and using those taxes to provide good incentives for economic development. In addition, the Government was planning to introduce for 1993 a zero growth budget which, together with the planned reform of the public service, would help to redress the economic performance of the Territory and reduce its deficit.

25. The Caribbean Development Bank reported that, in 1992, a total of 1,538 offshore companies registered in the Territory, compared with 1,200 in 1991. To sustain growth in this field, an offshore financial sector marketing consultancy was undertaken during the year and, as a result, a major promotional programme was planned, together with a study to identify new areas of activity and envisage future legislative changes. 6/

C. Land tenure, agriculture and livestock

26. The total land area of the Territory is approximately 50,180 hectares. Beach-front properties, amounting to some 2,400 hectares, are owned by private land developers. The Executive Council of the Territory and the Foreign and Commonwealth Office of the United Kingdom adopted a new land policy designed to facilitate the full and gainful participation of the islanders in the development of the country.

27. The agriculture sector is small and limited to subsistence farming for the local market. More than 90 per cent of the food consumed in the Territory is imported from the United States, Haiti and/or the Dominican Republic. Limited farming activities are carried out on North Caicos and Middle Caicos and, to a lesser extent, on Providenciales and Grand Turk.

28. The Chief Minister has expressed his conviction that the Turks and Caicos could become self-sufficient in certain food items through the establishment, jointly by the Government and the private sector, of market gardening and farming, first on North Caicos where there is a reasonable supply of underground fresh water. This would supply the tourist industry with some of its food requirements and provide jobs.

29. The Government was also seeking to assist cattle owners in relocating their cattle and in organizing a proper husbandry industry, with the hope of supplying the local market with meat products.

D. Fisheries

30. Fishing is one of the most important primary economic activities in the Territory. Its main commodities are lobster and conch. This industry provides all of the Territory's exports and is an important source of employment.

31. According to the Caribbean Development Bank, the fisheries industry received a boost in 1992 as idle construction workers returned to traditional activities. Output of lobster and conch increased significantly when compared with production in 1991. 6/

32. The Chief Minister said in his 1993 Budget Speech that better regulation of the fishing industry through the reduction of foreign poaching and the controlling and capture of undersized products had resulted in a dramatic improvement in catches. In continuance of those efforts, the Government was considering new legislation for the control of all marine resource exploitation. Meanwhile, catch rates had increased by some 65 per cent in the lobster fishery

and by 20 per cent in the conch fishery. Over the last three years, the total value of the fishery with respect to payments made to fishermen had increased from $2.4 million to $3.75 million.

33. In support of efforts by the Marine Department to manage the lobster and conch resources, a project research programme had been instituted and expanded. This had involved continued infrastructure development, including the construction of an aquarium and laboratory facility on South Caicos. Research activities undertaken included lobster and conch tagging to estimate growth, migration patterns and mortality rates; mapping the main marine habitats (coral, seagrass, mangrove and sandy algal areas) to provide data for stock assessment; deployment of artificial lobster habitat to increase the number of lobsters which can survive on the Caicos bank; collection of economic and social data from the industry to understand better how the latter functions; and development of programmes and training in computer systems to store and analyse data.

34. The Chief Minister said that the data collected from all those research activities would be used to develop an appropriate plan for the sector detailing proposals for sustainable marine resource management. Also, the Fisheries Management and Development Programme had successfully undertaken surveys of the potential resources of deep-water snapper and grouper, as well as nearshore tuna. While development potential remained limited, increased catches of snapper and grouper had been made by local vessels.

E. Tourism

35. Tourism continued to be the main source of revenue for the Territory. As such, the Government accords high priority to the carefully planned development of this sector.

36. According to the Caribbean Development Bank, total visitor arrivals dropped to 52,000 in 1992, a 4.5 per cent decline from the previous year. This can be attributed to the recession in the United States, whose market accounts for approximately 70 per cent of tourist arrivals in the Territory. Limited airline access is another principal reason for the decrease in tourism. There was no major United States airline operating a scheduled service to the Territory for most of 1992 and temporary arrangements to provide the needed service proved inadequate. In December 1992, a major United States carrier introduced a daily service to Providenciales from Miami. This is expected to contribute significantly towards increasing the number of future arrivals. 6/

37. The Chief Minister expressed his satisfaction that the Government had been able to negotiate, jointly with the private sector, for American Airlines to service the Territory (see para. 20). He added that the airline had agreed to increase the number of passengers either by using larger airplanes or by increasing the frequency of flights to Providenciales. In addition, Turks and Caicos Airways had decided to commence direct flights between Grand Turk and Miami twice weekly. Further, British Caribbean Airways had been granted a licence to operate between the United States and the Turks and Caicos Islands, providing service as well to points between the Turks and Caicos and Puerto

Rico, the Dominican Republic, Haiti and the Bahamas. It had recently indicated its intention to begin operations.

38. The Chief Minister reported that between January and May 1993, tourist arrivals had increased by 36 per cent increase as compared with the same period in 1992. That trend was expected to continue throughout the summer, with many hotels and guest houses booking record numbers of tourists from Europe. Meanwhile, the Government had completed the drafting of its tourism policy, the main objectives of which were to increase the number and quality of visitors to the Territory, to establish national standards for the industry and to increase to the utmost revenue from the sector.

39. The Government was also committed to the involvement of Turks and Caicos islanders in the hospitality industry, not only as employees, but also as property owners. In this connection, the Government would support the establishment of additional accommodations for tourists. The growth in the tourist industry provided opportunities for intersectoral linkages in the areas of agriculture, fisheries, handicraft and offshore finance in relation to which the Government sought to coordinate activities so that more of the revenue derived from tourism might be retained in the local economy.

F. Communications and other basic facilities

40. Communications and other basic facilities are important to the Territory in terms of both maintaining contact between the inhabited islands and servicing the economy of the Territory, which depends on tourism, offshore banking and the activities of the business community.

Roads

41. The total length of roads in the Territory was 547 kilometres at the end of 1989, and their distribution by island was as follows: Grand Turk, 79 kilometres; Salt Cay, 12 kilometres; South Caicos, 45 kilometres; Middle Caicos, 64 kilometres; North Caicos, 130 kilometres; and Providenciales, 137 kilometres.

Sea

42. There are small harbours on Grand Turk and Providenciales, as well as docking facilities on North Caicos, South Caicos and Salt Cay. Middle Caicos has no docking facilities. Most materials required for the physical development of the islands, as well as durable and other bulk consumer goods, are imported and delivered by sea. The majority of vessels calling at the ports of the Territory operate from the United States or the Dominican Republic.

Air

43. According to the territorial Government, there are six airstrips on the Turks and Caicos Islands, of which only the one located on Salt Cay remains unpaved, while the airstrip on Middle Caicos is partially paved. Air transport is heavily relied upon for carrying both passengers and goods between the

islands. Links with outside countries are provided by major airports on Grand Turk and Providenciales and, to a lesser extent, by a small airport on South Caicos.

44. In March 1992, the Chief Minister said that, since Providenciales was the Territory's major tourist destination, the Government had turned its attention with urgency to the development of a proper airport terminal on that island. The Government had been able to secure a sum of US$ 3 million from the United Kingdom and a soft loan of an equal amount from the European Development Bank for the renovation and expansion of the facility.

G. Assistance from organizations of the United Nations system and other international institutions

45. Several United Nations bodies and specialized agencies provide assistance to the Territory. Such assistance is coordinated and carried out within the framework of inter-agency consultations between the United Nations Children's Fund (UNICEF), the United Nations Conference on Trade and Development (UNCTAD) the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), the International Labour Organization (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO). The Territory also receives aid from the Pan American Health Organization (PAHO).

46. Within the United Nations system, UNDP continues to be the main source of technical assistance to the Territory. In its Fourth Programming Cycle, UNDP provided high-level technical support to key sectors of the Territory. This enabled the setting up of various projects in housing, education and water management, with the assistance of the United Nations Centre for Human Settlements, UNESCO and the Department for Policy Coordination and Sustainable Development of the United Nations Secretariat, respectively. UNDP provided technical advice and support in the development and formulation of national policies, in the improvement of infrastructure, in export promotion and in human resources development. For the ongoing country programme, and following talks between UNDP and the Government on development priorities, UNDP will, inter alia, provide training to develop administrative management skills and assistance in environmental management. In the latter activity, UNDP will address the issues of water management, sewage disposal and reduction of the impact of the tourist industry on the environment.

47. The UNDP programme of assistance for the period 1993-1996 is described in the Third Country Programme for Turks and Caicos Islands, which was approved by the Governing Council of UNDP in February 1993. It makes provision for $971,000 in technical assistance resources in the form of the regular indicative planning figure allocated to the country.

48. In addition, the Turks and Caicos Islands are a beneficiary of the programme of assistance between UNDP and the Caribbean Community (CARICOM), which is a component of the Fourth Regional Programme for Latin America and the Caribbean, approved by the Governing Council of UNDP in May 1992. The planned

expenditure for the CARICOM component of the regional programme for this period is $7 million.

49. During the period under review, UNCTAD took steps to implement its Automated System for Customs Data in the framework of its programme on trade facilitation. The ILO provided training in equipment maintenance and repair to technical staff of the Ministry of Works, Utilities and Labour, as well as to other government services. It also provided assistance in the fields of vocational training and social security and helped establish a national insurance scheme.

50. The services of a consultant were provided by FAO for a project on integrated development planning. WHO, whose technical cooperation is coordinated by PAHO, provided technical assistance in the areas of community water supply and sanitation, health services development and the control of acquired immune deficiency syndrome (AIDS). UNESCO trained project directors in the field of education in the development of an appropriate curriculum for preventive drug education.

51. The Turks and Caicos was admitted as an associate member of CARICOM in July 1991.

IV. SOCIAL CONDITIONS

A. Labour and immigration

52. The Government is the largest employer, with 31 per cent of the active labour force holding government jobs. Agriculture and fisheries account for 18.5 per cent of the labour force, the hotel and restaurant industry employs 15.2 per cent and the construction and installation sector together employ 12.7 per cent. The manufacturing, commerce, transport and communication, insurance and real estate sectors employ, in sum, 13 per cent of the workforce.

53. As previously reported by the Caribbean Development Bank, the growth in tourism and construction on Providenciales stimulated the movement of labour from the other islands. In addition, the increased employment of immigrant workers to meet the strong demand for labour was partly responsible for a sharp increase in population over the past few years. The Government decided to formalize the foreign worker scheme in order to institutionalize the existing ad hoc arrangements. It anticipated that the expected strong growth in tourism on Providenciales would generate further increases in the flow of foreign workers, placing considerable stress on social services. 7/

Immigration

54. The influx of illegal immigrants from neighbouring islands, either for political or economic reasons, is a recurrent problem. In May 1990, the Legislative Council enacted an immigration bill, which provided for new methods of dealing with applications for work permits, the establishment of an immigration board, the redesignation of the post of Chief Immigration Officer as

Director of Immigration and the introduction of a firm policy on the whole question of immigration.

55. In his 1992 address to the Legislature, the Chief Minister said that, in an effort to control illegal immigration, the Government had introduced a system of computerized records to track down illegal immigrants (see A/AC.109/1139, para. 67). In his 1993 Budget Speech, however, he recognized that the Territory still faced serious illegal immigration problems. The Government, he said, was determined to resolve the issue, but its actions were hampered by temporary impediments, including the shortage of funds for repatriation, despite the fact that the Government had substantially increased its budgetary allocation for fiscal year 1993/94 for that purpose. The Chief Minister also said that the situation in Haiti was another impediment to the repatriation scheme.

56. He added that the Government was further faced with the expatriate community's increasing expectation of being granted belongerships although the permanent resident status of the expatriates would be sufficient to protect their positions and livelihood in the islands. The Chief Minister, who believes that the Territory should have a population of at least 25,000 to attain economic viability, said that the Government would organize a population forum to debate long-standing issues, such as the Territory's small population and consequent limited market, which make it costly for the inhabitants to obtain many of the goods and services that are available elsewhere.

B. Public health and environment

57. The Chief Minister said in July 1993 that the main purpose of the new Ministry of Health and Social Security was to strengthen the Territory's health and social welfare system and to increase its capacity to deliver services adequately to its people. In addition, the new ministry would be responsible for national insurance and housing.

58. He noted that a new primary and secondary health care facility was now under construction in Providenciales and that it would be fully equipped. It would offer patients a wide range of services which would include medical and surgical assistance in paediatrics and other areas. Also, a haemodialysis unit would be set up at the Grand Turk Hospital as a life support system for patients requiring dialysis treatment.

59. Recognizing the serious threat posed by AIDS and the human immunodeficiency virus (HIV) to the people of the Territory, the Government continued to support the AIDS prevention and control programme. The Ministry of Health had recently appointed a qualified AIDS coordinator for the programme, which was expected to gain momentum.

60. New initiatives taken by the Government to protect the environment included the Public Environment Health Ordinance, the Parks Ordinance and the National Trust Ordinance designating 33 protected areas as national parks, nature reserves, sanctuaries and places of historical interest. Those areas totalled 699 square kilometres.

61. In pursuance of its pledge to take severe measures against offenders, the Government had brought pressure to bear on many owners/occupiers of property to remove garbage and derelict buildings. On the initiative of the Department of Planning and the Department of Environment, Heritage and Parks, a campaign of publicity had been launched and information had been disseminated to raise awareness and respect for the environment.

62. The Environmental Health Department has made tremendous strides in the monitoring of the quality of drinking water. In order to address the threat of cholera which existed, a project has been worked out for the Five Cays area which was considered a high-risk sector. Steps have been taken to deliver a supply of safe filtered and chlorinated water to the community through protected wells equipped with pumps. In addition to the continued improvement of water quality, the Department's main goals remained the improvement of solid waste management and vector control (mosquitoes), as well as the training of staff.

C. Social and welfare services

63. The Chief Minister said in his Budget Speech of July 1993 that the national insurance scheme had collected over $3.5 million between April 1992 and May 1993 and had paid out some $71,000 in benefits, including injury, sickness, disablement benefits, maternity allowance, funeral grants and retirement grants. He added that, in addition to providing those benefits to the people, the insurance scheme was a valuable stock of national savings which his Government would seek to reinvest in the community.

64. Government efforts in the housing sector included the completion of a settlement upgrading survey for Grand Turk with a view to improving the quality of low-income housing.

65. The Chief Minister announced that efforts would be made to institute a family court system to secure child support from estranged fathers who were employed. This would relieve the state from the burden of dealing with the increasing number of applications for financial aid for unsupported children.

V. EDUCATIONAL CONDITIONS

66. There are two main levels in the educational system of the Turks and Caicos Islands, namely, primary and secondary. Children receive seven years of primary schooling between 4 and 12 years of age. Secondary education at the three public high schools in the Territory lasts for five years. Education is free and compulsory for children up to the age of 15 years. A private commercial college is functioning on Grand Turk.

67. The Chief Minister said in March 1992 that there were 11 primary schools in the Territory with an enrolment of 1,383 students and 72 teachers, 4 high schools with an enrolment of 993 and a staff of 83, for a total of 2,376 students and 155 teachers.

68. Only 40 of the primary school teachers were trained. The Ministry of Education has set a target that within five years all the teachers at the primary level would be fully trained. At the high school level, 85 per cent of the staff were expatriate contract officers, including three principals. The Government was committed to providing further scholarships for students to obtain university degrees and thereby reduce the ratio of contract teachers in the high schools.

69. The secondary schools continued to offer the Caribbean Examinations Council programme at the general and basic proficiency levels. In addition, students continued to take the national examination administered by the Department of Education.

70. The School for Field Studies on South Caicos, the first university-level institution, is devoted exclusively to marine environmental studies. Under an agreement concluded between the Government and the Ministry of Education in the Bahamas, qualified students from the Territory can attend the College of the Bahamas on scholarships provided by the Government of the Bahamas.

71. Addressing the Legislature in July 1993, the Chief Minister said that the Government had taken significant steps to improve the educational standards of the Territory. Its efforts to upgrade the quality of the staff in the primary schools were already bearing fruit, as evidenced by the intellectual level of the students who graduated and entered the high schools.

72. The Government had continued to expand physical facilities at eight schools, at a total cost of approximately US $2 million. It had also set up a task force on the establishment of a tertiary education institution which was currently working on the preparation of curricula for business studies, pre-health courses, technical and vocational studies, and the introduction to teacher training. The task force was established to coordinate those endeavours with regional polytechnic institutions so as to enable the Territory's high school graduates to qualify beforehand for professional programmes of study in the Territory. In addition to being advantageous for the students, that procedure would yield substantial savings in educational costs.
The Government announced that the number of scholarships awarded in 1993 was 20 per cent higher than the previous year.

Notes

1/ The information contained in the present paper has been derived from published reports and from information transmitted to the Secretary-General by the Government of the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter of the United Nations on 4 April 1990 and on 24 September 1993 for the period 1992-1994.

2/ Caribbean Development Bank, Annual Economic Report, 1991 (Turks and Caicos Islands).

3/ Turks and Caicos News, 23 April 1991.

4/ Ibid., 27 April 1991.

5/ The local currency is the United States dollar.

6/ Caribbean Development Bank, Annual Report, 1992 (Barbados).

7/ Ibid., Annual Report, 1991.

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WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

AMERICAN SAMOA

Working paper prepared by the Secretariat

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AMERICAN SAMOA 1/

I. GENERAL

A. Introduction

1. American Samoa is located in the South Pacific approximately 3,700 kilometres south-west of Hawaii and 4,350 kilometres north-east of Australia. It consists of six islands (Tutuila, Aunuu, Ofu, Olosega, Tau and Rose) belonging to the Samoan group. Swains Island, 340 kilometres north of Tutuila, is administered as an integral part of American Samoa. The total land area of the Territory is 197 square kilometres, about 70 per cent of which is covered by dense forest. Lying near the equator, between latitudes 13 and 16 south, American Samoa has a typical tropical climate with a wet and a dry season. Pago Pago, the capital, is located on Tutuila, the largest of the islands, where 90 per cent of the population lives.

2. The Samoan Islands are believed to have been inhabited by Polynesian peoples for some 3,000 years. By 600 B.C., a settlement had been established on Tutuila that may have been the jumping-off point for colonizing Tahiti and the Marquesas, about A.D. 300. Europeans first visited the Samoan archipelago in the 1700s, but foreign Governments did not make contact with local chiefs until the early nineteenth century. By the mid-nineteenth century, Germany, Great Britain and the United States of America came to dominate the economic life of the islands, appointing consuls to Apia, Western Samoa, between 1847 and 1861.

3. In 1899, these three Powers signed a Tripartite Treaty dividing the Samoan archipelago into spheres of influence. Germany claimed all the islands west of the 171st meridian (now the independent State of Western Samoa) and the United States claimed the islands east of that meridian. Great Britain agreed to relinquish its claims in the Samoas in exchange for sole authority over the Solomon Islands, Niue and Tonga.

4. In April 1900, the Samoan high chiefs formally ceded the islands of Tutuila and Aunuu to the United States, and in July 1904 the cession was expanded to include Ofu, Olosega, Tau and Rose. Swains Island was annexed in 1925. The islands officially became a United States Territory in February 1929 (see para. 9).

B. Population

5. According to statistics prepared by the Government of American Samoa, the estimated population of the Territory as of 1 July 1992 was 50,900, 2/ an increase of about 8.8 per cent compared to the official 1990 census (46,773 persons). The current population density is estimated at approximately 234 persons per square kilometre, an average figure for the South Pacific. Over 90 per cent of the residents of the Territory are ethnically Samoan, including about 10,000 Western Samoan nationals. The balance of the population is made up of Caucasians (2.5 per cent), neighbouring islanders from Tonga, Tokelau and Niue (3.5 per cent) and various other groups.

6. Because of limited employment opportunities, a large number of American Samoans have emigrated to the United States. It is estimated that some 65,000 live in California and in Washington State and 20,000 in Hawaii. 3/

7. The American Samoan way of life is structured around a social system of clans or extended families (aiga) and their chiefs (matais). A village may comprise several related families. The matai is chosen by the family members and is responsible for the well-being of the aiga, the maintenance of family lands and the communal economy, which still prevails in village life. Most American Samoans are bilingual, speaking both English and Samoan.

8. Anyone born in American Samoa is a United States national and entitled to a modified United States passport. The only substantial legal difference between a citizen and a national is that the latter, as a non-citizen, cannot vote in United States elections. However, nationals can normally acquire United States citizenship without difficulty. By law, they are also entitled to take up residence and employment in the United States.

II. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

A. General

9. American Samoa became an unincorporated Territory of the United States pursuant to a joint congressional resolution of 20 February 1929. By an executive order issued in 1951, the President of the United States placed the administration of the Territory under the Secretary of the Interior. The Territory's first Constitution came into effect in October 1960 following a referendum, and was revised in 1967 and subsequently amended in 1970 and 1977. Since its form of government is set out in a constitution rather than in an organic act of Congress, American Samoa is considered under the United States system to be an unorganic Territory. Pursuant to an act of the United States Congress, the people of American Samoa and not the Secretary of the Interior are the final ratifying authority over their Constitution. The Constitution of American Samoa contains a Bill of Rights enforceable before the Courts.

10. It was reported previously (A/AC.109/1108, para. 10) that, in November 1986, voters in American Samoa, by a two-to-one majority, had rejected changes in the Constitution recommended by a constitutional review committee composed of Samoan citizens. The rejected changes related, inter alia, to expansion of the territorial legislature, qualifications and impeachment of public officials and judicial reconstruction.

11. Between 1900 and 1974, the United States Congress created the offices of five delegates to the House of Representatives to represent the District of Columbia, American Samoa, Guam, Puerto Rico, and the United States Virgin Islands. In 1970, Congressional rules conferred upon the delegates the right to vote in standing committees. In 1993, the delegates received the additional right to vote in the House, provided such a vote would not constitute a deciding vote. In February 1994, an appeals court in Washington, D.C., confirmed that right after it had been challenged in the court by representatives of the Republican Party.

12. Since January 1981, American Samoa has elected by direct vote a delegate to the United States House of Representatives. The current delegate, Mr. Eni F. H. Faleomavaega, was re-elected in November 1992.

13. In 1984, American Samoans participated for the first time as voting delegates at the Democratic National Convention. The Republican Party of American Samoa, which was organized in 1985, participated in the Republican National Convention for the first time in 1988.

14. In January 1994, Mr. Faleomavaega introduced legislation in the House of Representatives urging the United States Administration to join the South Pacific Nuclear Free Zone Treaty (1985) (Rarotonga Treaty (1985)). The Treaty bans the testing, stationing, or use of nuclear weapons in the zone. 4/

B. Government

15. The Constitution provides for separate executive and legislative branches and an independent judiciary. All American Samoan citizens over 18 years of age are eligible to vote.

Executive

16. The executive branch consists of a Governor and a Lieutenant-Governor elected for four years by universal adult suffrage. The Governor is responsible for executing those United States laws and portions of the United States Constitution applicable to American Samoa, as well as the American Samoan code and executive rules. He has general supervision of all operations within the Territory. The current Governor, Mr. A. P. Lutali, was elected in November 1992 concurrently with the Lieutenant-Governor, Mr. Tauese Sunia. 5/

Legislature

17. There is a bicameral legislature, known as the Fono, comprising a Senate and a House of Representatives with identical powers. The Fono may pass laws with respect to all local affairs, provided its laws are not inconsistent with United States laws in force in the Territory or with United States treaties or international agreements. The Fono convenes for two 45-day sessions a year.

18. The Senate comprises 18 members who are elected every four years from among the matais by the fonos in the 14 "councils" or groups of villages, in accordance with local custom.

19. The House of Representatives is composed of 20 members elected for two-year terms by universal adult suffrage. There is also one non-voting member from Swains Island, who is elected at an open meeting by the permanent adult population of the island.

20. A majority of both houses voting together is required for passage of a bill. The legislature may appropriate funds raised from local revenues and make recommendations regarding the annual budget prepared by the Governor, including requests for federal funds.

Judiciary

21. The judiciary consists of a high court with jurisdiction throughout the Territory, a district court and several village courts. There are three divisions of the High Court: (a) appellate, (b) trial and (c) land and title. Since American Samoa is not within a federal judicial district or circuit, there are no statutory provisions for appealing decisions of the High Court.

22. The Chief Justice and the Associate Justice of the High Court are appointed by the United States Secretary of the Interior. The Lands and Title Division of the High Court adjudicates claims to traditional matai titles and property-boundary disputes. The United States civil and criminal codes, augmented by such local laws and regulations as enacted by the territorial legislature, constitute the law adjudicated in the courts. The current Chief Justice, Mr. Michael Kruse, who was appointed in November 1988, is the first American Samoan to hold that position. Associate judges of the High Court and the District Court judge are appointed by the Governor on the recommendation of the Chief Justice; their appointments are subject to confirmation by the territorial Senate.

23. The Office of the Public Defender provides legal representation to those unable to afford counsel.

C. Future status of the Territory

24. The 1981 United Nations Visiting Mission to American Samoa reported that elected and traditional leaders had expressed satisfaction with the existing political status of the Territory (see A/AC.109/679, paras. 348-351). The Mission said it seemed that the leaders' satisfaction with the status quo derived from the fact that the Territory was heavily dependent on economic and financial support from the United States as well as from their own attachment to the traditional social structure. During public discussions, the Mission found that, in general, people outside the political leadership had very little knowledge of the implications of the political alternatives available to them.

25. In September 1991, the Fono established a Political Status and Constitutional Review Commission to make recommendations concerning the future political status of the Territory.

26. In his statement at the seminar organized by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, held in Papua New Guinea in June 1993, Mr. Sunia, Lieutenant-Governor of American Samoa, stated that American Samoa preferred to remain a Territory of the United States (see A/AC.109/1159, paras. 25-31).

Action taken by the General Assembly

27. On 10 December 1993, the General Assembly adopted resolution 48/51 B, a consolidated resolution on 10 Non-Self-Governing Territories, section I of which was specifically devoted to American Samoa. In that resolution, the Assembly,

inter alia, called upon the administering Power, in cooperation with the relevant regional and international institutions, to assist the Territory in increasing its agricultural output and, in cooperation with the territorial Government, to continue to promote the economic and social development of the Territory in order to reduce its heavy economic and financial dependence on the United States. Further, the Assembly requested additional information from the elected representatives of American Samoa, the administering Power and/or other sources to enable the Special Committee to determine its future course of action on the question of American Samoa, and expressed its firm conviction that a visiting mission to American Samoa at this stage would provide an effective means of obtaining information on developments in the Territory and ascertaining the views of the people of American Samoa with regard to their future status.

D. Public service

28. According to the American Samoa Statirtical Digest, 1992, the Government of American Samoa continued to be one of the largest employers in the Territory, accounting for 4,888 persons, or slightly over 30 per cent of the employed labour force. Most of the employees in the public service were American Samoans.

E. Regional cooperation

29. American Samoa is a member of 14 regional organizations, including the South Pacific Commission, the Pacific Basin Development Council, the Pacific Tuna Development Foundation, the Pacific Islands Association, the Asian-South Pacific Bureau of Adult Education, the Pacific Asia Travel Association, the South Pacific Regional Environment Programme and the Council of Pacific Arts. It also belongs to such United States organizations as the National and Western Governors' Conferences. The Government of American Samoa has signed memoranda of understanding with the Governments of Western Samoa and Tonga on mutual economic cooperation and has sent trade missions to a number of countries in the Pacific region.

30. In August 1991, American Samoa, together with two other Territories administered by the United States, Guam and the United States Virgin Islands, established the Alliance of Dependent Territories, an organization that seeks to promote friendly relations and economic and technical cooperation among its members. The Alliance will also endeavour to obtain observer status in the United Nations General Assembly.

31. The United Nations has extended invitations to associate members, including American Samoa, of the Economic and Social Commission for Asia and the Pacific (ESCAP), to participate as observers in the Preparatory Committee for the first Global Conference on the Sustainable Development of Small Island Developing States as well as in the Conference itself, to be held in Barbados, from 25 April to 6 May 1994.

III. ECONOMIC CONDITIONS

A. General

32. American Samoa suffers from the same economic constraints, such as geographical isolation and scarce resources, common to most island societies in the South Pacific. Its economy depends on the tuna fish canning industry. Prospects for agricultural development are limited owing to the small percentage of land suitable for cultivation. With respect to other industries, only tourism offers good potential for growth.

33. The economy of the Territory was severely affected by devastating cyclones in February 1990 and December 1991. Currently, American Samoa is receiving assistance from the Department of the Interior and other federal agencies, including the Federal Emergency Management Agency, for the repair of the damage caused by these two natural disasters. In February 1994, a representative of the United States Government confirmed during hearings in the House of Representatives, that repairs on Ofu Harbor of hurricane damage would be completed during fiscal year 1994.

34. In 1991, the latest year for which official government figures are available, exports amounted to $326.8 million and imports totalled $371.9 million, resulting in a negative trade balance of approximately $45.1 million. By far the largest trading partner of American Samoa is the United States, followed by Australia, Japan, New Zealand and Fiji. Imports are mainly food products, fuel and oil, machine parts, building materials, textiles and clothing; about 92 per cent of the exports are canned tuna. 6/

35. The United States Tariff Code offers preferential treatment to American Samoa in order to stimulate industrial development in the Territory. American Samoa is also eligible for favourable duty treatment under the generalized system of preferences of Australia, Japan, New Zealand and the United States.

B. Public finance

36. Total government revenue for fiscal year 1991 amounted to $103.5 million. Of that total, $53,914,000 came from various federal grants, $42,950,000 were revenues generated locally and $6,639,000 came from other sources. 7/

37. The Territory has had a budget deficit for several years. As previously reported, in February 1992, in a statement before the Subcommittee on Insular and International Affairs of the United States Congress, then Governor Peter Tali Coleman noted that the Department of the Interior contribution to the basic operational budget of the Territory had declined by over 15 per cent from 1987 to 1992.

38. Shortly after assuming his new office in January 1993, Governor Lutali announced that he had requested the Department of the Interior to conduct an audit of the Territory's public finances. 8/

39. According to a report published in February 1994 by the General Accounting Office, a primary cause of the Government's poor financial condition was its management practices. 9/

C. Land tenure and agriculture

40. Most land is owned in common by Samoan families and is the traditional basis for family organization. Under the Samoan Land Tenure Act, all land except freehold land (approximately 15 per cent of the total) is inalienable to any person who is less than one-half American Samoan. Without written approval from the Governor, it is unlawful for any matai to alienate any family lands or to lease such lands for more than 55 years.

41. Apart from freehold land, the main categories are government land (23.5 per cent); church-owned land (14.3 per cent); communal land subject to the native land tenure system (23.6 per cent); and individually owned land, acquired either by court grant after 1900 or through the transfer of communal land with the approval of the Governor (23.6 per cent).

42. As noted in paragraph 32, agricultural production is very limited because of the nature of the terrain. Approximately two thirds of the land in the Territory is steeply sloping and is very difficult to reach because of the absence of roads. The number of farms declined by 15 per cent between 1980 and 1990. Currently, efforts are aimed at increasing the production of vegetables and other food crops for local consumption. Most of the commercial farming consists of mixed operations producing poultry, livestock and crops such as coconuts, bananas, taro, pineapples, yams and breadfruit.

43. During the period under review, sales from the local farmers' market improved, signalling some recovery from the devastation caused by the hurricane in 1990. In 1991 there was a significant increase in the sale of green bananas, mature coconuts, taro and vegetables, compared with the previous year. In 1993, taro, a traditional culture, was hit by a taro leaf blight, a fungus disease. 10/

D. Industry

Tuna processing

44. American Samoa's tuna-processing industry, which is the fourth largest in the world, accounts for approximately 20 per cent of total United States tuna production. An Indonesian-owned company, the Van Camp Sea Food Company, and a United States-owned company, Star Kist Samoa, Inc. (H. J. Heinz), operate two large-scale tuna canneries at Pago Pago supplied by both Asian and United States vessels, as well as by a local fleet of small long-line craft.

45. Most of the tuna production is exported to the United States. In 1991, out of a total of $326.8 million in exports from American Samoa, canned tuna exported to the United States amounted to $302 million, which corresponds to approximately 132 million kilograms of tuna. In 1991, the two canneries provided

employment for 4,033 persons and accounted for the bulk of local tax revenues. 11/

46. In 1990, the canneries were fined a total of $250,000 for violating the American Samoa Environment Act by polluting the waters of Pago Pago harbour. Both canneries have since agreed to treat waste from their operations and then transport it by barge to a designated dumping site 8 kilometres out to sea.

Local fishing

47. In 1991, the latest year for which information is available, there were 33 local fishing boats employing 99 fishermen. The total catch for the year was 45,718 kilograms, a substantial further decrease from the 1990 and 1991 catch of 136,909 kilograms and 71,656 kilograms, respectively. The preferred methods of fishing were trolling, spear fishing and a combination of trolling and bottom fishing. 12/

Other

48. Other industrial activities in American Samoa are mostly service oriented. There are a number of small factories processing soap, perfume and alcohol. In 1991, there were 1,845 registered businesses in the Territory, of which retail trade accounted for 34 per cent, and transport and public utilities, 16 per cent. The remaining industrial activities involved construction, wholesale trade and finance and insurance operations.

49. Efforts to attract new industry to the Territory include tax cuts, import-duty concessions and special lease rates at a large government industrial park located near the airport.

E. Transport and communications

Land

50. There are approximately 150 kilometres of paved roads and 200 kilometres of secondary roads. In 1991, there were 4,628 registered vehicles in American Samoa, 88 per cent of which were privately owned. There is a non-scheduled bus service.

Sea

51. Several shipping companies provide regular service to Pago Pago from Asia, other South Pacific ports and the United States. There is a daily inter-island cargo service and a regular ferry service between American Samoa and Western Samoa. Swains Island is accessible only by boat. Rose Atoll can be visited only by permit since it is a National Wildlife Refuge.

52. Pago Pago has one of the best all-weather deep harbours in the Pacific. For a number of years the territorial Government has been trying to develop this harbour as a regional centre for the transshipment and distribution of goods. Western Samoa, Tonga and the Cook Islands currently ship much of their

merchandise through Pago Pago harbour. In order to expedite the movement of containers through the harbour, the Government has asked for funds from the United States to resurface the container yard and the surrounding support areas.

53. In 1991, a total of 1,033 vessels entered American Samoa, including fishing boats, freighters, yachts and cruise ships.

Air

54. Pago Pago International Airport is regularly served by a number of airlines which link American Samoa with Hawaii and the United States mainland, as well as with Australia, New Zealand and other countries in the South Pacific. This airport has two paved runways, 2,743 metres and 1,829 metres long, respectively. There are also smaller airstrips on the islands of Ofu and Tau.

Radio, television and telephone links

55. The Territory has one television and two radio stations, including a public network. It regularly receives from the United States live broadcasts of the Armed Forces Radio and Television Service as well as Cable News Network. Both radio stations broadcast in English and Samoan, one around the clock and the other for 18 hours a day.

56. American Samoa, through the overseas Communications Satellite corporate link, has direct dialling to most countries. In 1991, the Territory had 8,600 telephones (an increase of 2.4 per cent from 1990) as well as 29 telex and 281 facsimile subscribers. 13/

Newspapers

57. There are several weekly newspapers in the Territory in both the English and the Samoan languages. There is also a daily newspaper, the Samoa News.

F. Tourism

58. Despite the Government's efforts to encourage tourism, this industry remains relatively small. In 1991, 6,830 tourists, a decrease of almost 20 per cent from the 8,500 visitors in 1990, visited the Territory. They were mostly from the United States, Australia and New Zealand. There are five hotels and motels in American Samoa. The Government is the majority shareholder in the main hotel, which has 163 rooms.

G. Financial institutions

59. The Amerika Samoa Bank and a branch of the Bank of Hawaii Federal Credit Union offer complete commercial banking services. The Development Bank of American Samoa, a non-commercial enterprise owned by the Government, issues guarantees and loans for development projects.

H. Assistance from the United Nations system

60. American Samoa belongs to various regional bodies of the United Nations system, including the World Health Organization (WHO) Regional Office for the Western Pacific and the WHO Western Pacific Regional Centre for the Promotion of Environmental Planning and Applied Studies. The Territory has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1988.

IV. SOCIAL CONDITIONS

A. Labour

61. The labour force in the Territory, which has been steadily increasing since 1980, currently stands at about 15,400 workers. The two largest employers are the Government and the two tuna canneries which together provide approximately 63 per cent of the jobs. In 1991, the unemployment rate was approximately 10 per cent. 14/

62. In January 1993, Governor Lutali announced that, in an effort to reduce government spending and the Territory's budget deficit, his administration was planning to lay off over 1,000 public employees, including some 400 permanent career civil servants. 15/ As of October 1993, the Government's total payroll stood at about $65 million. 16/

63. Approximately 40 per cent of the labour force is from Western Samoa; there are also Tongans, Koreans, Japanese, Chinese and United States citizens working in the Territory. The high proportion of foreign labour comes about because the shortage of well-paying jobs in American Samoa leads many young people to emigrate to Hawaii and the United States mainland. Their place in the Territory is often filled by non-nationals, mostly from Western Samoa (see also para. 66).

64. American Samoa is the only United States Territory in which employers are allowed to pay workers less than the mainland minimum wage. In June 1993, the federal Special Industry Committee decided to set minimum government wages for the Territory at $2.37 per hour. For the workers at the tuna canneries, the rate was set at $3.00 and would rise to $3.05 a year later. Minimum wages for other industries were to increase by 3 to 7 per cent in 1993, with a slightly larger increase in the second year. The largest increase, 6.7 per cent, was approved for the stevedoring and shipping workers. 17/

65. In February 1993, after a long and sometimes acrimonious debate, a majority of 52 per cent of the workers at the Star Kist tuna cannery voted against joining the International Brotherhood of Teamsters. Workers in the two canneries thus remain non-unionized. 18/

B. Immigration

66. American Samoa has its own immigration laws. In 1985, the territorial Government set quotas to regulate the number of foreigners entering the Territory annually to work. The quotas allow the admission of 1,000 persons from Western Samoa and 400 from other countries. Only American Samoans, United States citizens and nationals and licensed companies can sponsor foreign workers.

67. Also in 1985, an agreement was reached between Western Samoa and American Samoa to allow relatives to visit either Territory without visas. After abolition of the visa requirement, however, an estimated 3,000 Western Samoans overstayed their visits. Thus, in January 1986, restrictions were restored and Western Samoans must now obtain a visa specifying their length of stay in American Samoa.

68. In 1992, over 1,500 persons were deported from American Samoa. Approximately 75 per cent of the deportees were Western Samoan citizens who had overstayed their visits. 19/

C. Health and public safety

69. The main hospital in the Territory, the Lyndon Baines Johnson (LBJ) Tropical Medical Center, has 140 beds and a staff of 25 physicians. Medical, dental and pharmaceutical services are available 24 hours a day at minimal cost to residents and visitors. For serious cases, off-island treatment, including hospitalization in Guam, Hawaii or the United States mainland is provided free of charge.

70. The LBJ Medical Center suffered some $1 million in damages from cyclone Ofa in February 1990 and from cyclone Val in December 1991. As of early 1994, the LBJ Medical Center continued to experience a severe shortage of doctors, particularly in the areas of ophthalmology, radiology and obstetrics/gynaecology, and of trained nurses. 20/ The American Samoa Power Authority (ASPA) plans to spend $200,000 for the construction of a new emergency room in 1994. 21/ The Government plans to build a new hospital eventually.

71. In December 1993, by executive order, Governor Lutali established the American Samoa Hospital Authority as an agency of the executive branch of local Government for the purpose of providing "access to quality and affordable medical services for the people of American Samoa". 22/ In January 1994, he submitted his proposed legislation for the creation of the Authority to the legislature. The Fono had approved a resolution asking the Governor to cease implementation of his executive order until the proposed legislation could be reviewed. 23/

72. In 1991, the leading causes of death were heart disease and malignant neoplasms. Influenza accounted for most of the communicable diseases.

73. In January 1987, a Governor's Council against Drugs was established to coordinate efforts to eradicate drug use. A drug-control programme was then

started with the joint cooperation of the departments of public safety, customs and human resources and the LBJ Medical Center.

74. In 1991, a total of 2,187 offences were reported to the police, a decrease of 13 per cent compared with 1990. The most common offenses were disorderly conduct, assault, burglary, larceny and property damage. 24/

D. Housing

75. American Samoa has access to federal housing programmes and grants administered by the United States Department of Housing and Urban Development. In 1990, the Development Bank of American Samoa disbursed $3.8 million for home improvements and new homes. In his State of the Territory address in February 1991, former Governor Coleman noted that the Bank was negotiating a $50 million loan which would fund 900 to 1,000 new homes.

76. The territorial Government has the authority to issue tax-exempt industrial development bonds up to a value of $5 million.

77. In 1991, a total of 772 land use and building permits were issued. There were 307 permits for new structures, 308 for either extensions, repairs or alterations, four for government projects and 153 were for all other types of permits. The estimated value of construction for 1991 was $17 million. 25/

78. In 1990, the Pala Lagoon (waste water) system and the Pago Pago harbour sewer system were rehabilitated at a cost of $8.7 million. In addition, $3.5 million were allocated to ASPA to begin a five-year plan of improvements to the electrical power and water systems.

79. At present, it is estimated that only two thirds of the population of the Territory is served by the Government's central water system. The remainder is dependent on village-based systems, which often lack basic sanitary conditions. The first phase of the Tafuna Plains Sewer Project, supervised by the Wastewater Division of ASPA, involves the installation of over 50 kilometres of sewer mains that will serve an additional 633 residential households within two years. 26/

V. EDUCATIONAL CONDITIONS

80. The educational system in American Samoa is broadly based on the United States pattern of eight years' attendance at elementary school and four years' enrolment at a high school. In 1991, there were a total of 96 private and public educational institutions, with a total enrolment of 15,946 students. About 44 per cent of students were born outside American Samoa. The majority of foreign-born students were from Western Samoa and the United States. 27/

81. American Samoa Community College, established in 1970, offers two-year degree courses in arts and sciences and certificates of proficiency programmes in vocational skills, business, clerical and nursing curricula. In 1985, this College began a one-year certificate programme in agriculture, with specialities in crop production and cattle-raising. Programmes in Pacific studies and

computer science were also added to the curriculum through a grant from the United States Federal Government. At the end of 1991, the College had 1,158 students. 28/

Notes

1/ The information contained in this working paper has been derived from published reports.

2/ American Samoa Statistical Digest, 1992, p. 15.

3/ United States Department of the Interior, Fact Sheet, August 1991.

4/ The Christian Science Monitor, 11 January 1994.

5/ Pacific Magazine (Honolulu), January/February 1993, p. 9.

6/ American Samoa Statistical Digest, 1992, p. 185.

7/ Ibid., p. 122.

8/ Samoa News, 8 January 1993.

9/ Gannett News Service, 10 February 1994.

10/ Samoa News, 12 November 1993.

11/ American Samoa Statistical Digest, 1992, pp. 128 and 190.

12/ Ibid., pp. 182 and 183.

13/ Ibid., pp. 155 and 156.

14/ Ibid., p. 128.

15/ Samoa News, 20 January 1993.

16/ Ibid., 29 October 1993.

17/ Pacific Daily News, 24 June 1993.

18/ Samoa News, 8 February 1993.

19/ Ibid., 11 January 1993.

20/ South Pacific - Radio Australia News Summary, 14 January 1994; Samoa News, 5 November 1993.

21/ Samoa News, 8 November 1993.

22/ Ibid., 20 December 1993.

23/ South Pacific - Radio Australia News Summary, 2 February 1994.

24/ American Samoa Statistical Digest, 1992, p. 67.

25/ Ibid., pp. 83 and 93.

26/ Samoa News, 4 November 1993.

27/ American Samoa Statistical Digest, 1992, pp. 52 and 53.

28/ Ibid., p. 58.